



# Monash University (Academic Board) Regulations

*Made by the Monash University Academic Board  
Incorporating amendments up to 11 January 2023*

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The Academic Board of Monash University makes the following Regulations:

## **Part 1 Preliminary**

### **1 Short title**

These regulations may be cited as the Monash University (Academic Board) Regulations.

### **2 Authorising provision**

These regulations are made under the Monash University Statute.

### **3 Commencement**

These regulations come into operation on the day on which they are promulgated by being published on the University website.

### **4 Interpretation**

- (1) The Dictionary at the end of these regulations defines expressions used in them.
- (2) Expressions used in these regulations have, unless the contrary intention appears, the same meaning as they have in the Monash University Statute as amended and in force for the time being.

#### **Note**

**Under section 23 of the Interpretation of Legislation Act 1984 expressions used in University regulations made under the Monash University Act 2009 have, unless the contrary intention appears, the same meaning as they have in that Act as amended and in force for the time being.**

- (3) For the purposes of these regulations, the faculty of which a member of the staff of an Australian campus who is employed, other than on a sessional basis, in an academic position or a person employed, other than on a sessional basis, in an academic position at an international campus, is a member is to be determined in accordance with regulation 5(2) of the Monash University (Vice-Chancellor) Regulations.
- (4) A reference in these regulations to admission to a degree or other award is a reference to admission to a course of study leading to that degree or other award.
- (5) A reference in these regulations to admission to a course of study incorporates admission to any replacement course of study offered by the University and to which a student transfers, and any such courses of study are a single course of study for the purpose of regulations 13, 30, 31, 38 and 48.
- (6) A reference in these regulations, in relation to a power of delegation, to the functions, powers or duties of a person or body is a reference to the functions, powers or duties conferred or imposed on the person or body by or under these or any other University regulations or by or under the Monash University Statute.
- (7) A reference in these regulations to the University as a location or to a university precinct includes, for a student admitted at any time before 1 January 2014 to a degree or other award being undertaken at the Gippsland campus, a reference to the Gippsland campus.
- (8) A note at the foot of a provision of these Regulations forms part of the regulations.

## **Part 2          Entrance and Admission Requirements**

### **5A            Centre for Professional Development and Online Education**

- (9) In applying this Part to the Centre for Professional Development and Online Education and Centre for Professional Development and Online Education Courses, any reference to the dean of a faculty is to be read as a reference to the Deputy Vice-Chancellor (Education) and any reference to a faculty is to be read as a reference to the Centre for Professional Development and Online Education.

### **5            Minimum requirements for entrance to the University**

#### *Minimum academic requirements*

- (1) A person is qualified for entrance to the University if:
- (a) for admission to an undergraduate degree or other award, they have satisfied the relevant minimum achievement level of results in the VCE as specified in subregulation (2) or are suitably qualified as determined by the Academic Board; or
  - (b) for admission to a graduate or postgraduate degree or other award, they have completed an undergraduate degree or other award or are suitably qualified as determined by the Academic Board.
- (2) For the purposes of subregulation (1)(a), the minimum achievement level of results in the VCE is:
- (a) subject to paragraph (b), for admission to a bachelor's degree, an ATAR of 70.00; or
  - (b) for admission to a bachelor's degree designated by the Academic Board as one to which this paragraph applies, an ATAR of 60.00; or
  - (c) for admission to the Diploma of Tertiary Studies, an ATAR of 50.00; or
  - (d) for admission to the Diploma of Higher Education or the Diploma of Higher Education Studies, an ATAR of 60.00.

#### *Minimum English language proficiency requirements*

- (3) In addition to the requirements under subregulation (1), a person must have satisfied the relevant minimum achievement level of results in English as specified in subregulation (4) or hold a qualification that is determined by the Academic Board as being at least equivalent or as measuring a satisfactory proficiency in the English language.
- (4) For the purposes of subregulation (3) the minimum achievement level of results in English is:

- (a) a study score of 25 in VCE English units 3 and 4, VCE English Literature units 3 and 4 or English Language units 3 and 4; or
  - (b) a study score of 30 in VCE English as an Additional Language units 3 and 4;
  - (c) in the case of a program approved by the Academic Board as enabling admission to a course of study, the person's last two years of secondary schooling, or equivalent, were completed at an English medium institution.
- (5) For the purposes of determining whether a qualification is at least equivalent to that specified in subregulation (3), the Academic Board may take any matter or thing it considers relevant into consideration including:
- (a) the level of English language proficiency required to complete the course of study or unit of study for which admission or enrolment is sought; and
  - (b) the period for which the person has studied in an English medium educational institution; and
  - (c) the result of tests of, or examinations requiring, English language proficiency, including any tests that the Academic Board may require the person to undergo under subregulation (6)(a); and
  - (d) the completion of courses in English medium educational institutions; and
  - (e) for any course, unit, test or examination covered by paragraph (b), (c) or (d) on which the person relies to demonstrate their English language proficiency, how recently it was completed.
- (6) For the purposes of subregulation (3), the Academic Board may:
- (a) require a person to undergo a test of English language proficiency in a form determined by it; or
  - (b) approve any part of a tertiary educational institution as being equivalent to an English medium educational institution.
- (7) In circumstances it regards as exceptional, the Academic Board may:
- (a) on the recommendation of the dean of the degree faculty, and subject to any conditions specified by the Academic Board, treat a person as having satisfied the requirements under subregulation (1); or
  - (b) exempt a person from the requirements under subregulation (3).

**6 Minimum age for admission or enrolment**

- (1) Subject to subregulations (2) and (3), to be eligible for admission to a course of study or enrolment in a unit of study a person must have attained 17 years of age by the time of commencement of the course or unit.
- (2) The Academic Board may grant a person, who will have attained 16 but not 17 years of age at the time of commencement, an exemption from the requirement under subregulation (1) if they have obtained:
  - (a) an ATAR of 95.00 or more or holds a qualification that is determined by the Academic Board as being at least equivalent; or
  - (b) the consent, with or without conditions, of the dean of the teaching faculty in the case of a single-unit enrolment, or the Pro Vice-Chancellor for Malaysia, Indonesia or Suzhou in relation to a course of study undertaken at those locations, or the dean of the degree faculty in all other cases.
- (3) The Academic Board may grant a person, who will not have attained 16 years of age at the time of commencement, an exemption from the requirement under subregulation (1) if they have obtained:
  - (a) an ATAR of 95.00 or more or holds a qualification that is determined by the Academic Board as being at least equivalent; and
  - (b) the consent, with or without conditions, of the dean of the teaching faculty in the case of a single-unit enrolment, or the Pro Vice-Chancellor for Malaysia, Indonesia or Suzhou in relation to a course of study undertaken at those locations, or the dean of the degree faculty in all other cases.
- (4) A person who does not meet the minimum age requirement for admission to a course of study or enrolment in a unit of study but who otherwise satisfies the requirements for admission or enrolment may be offered a place in that course or unit commencing at a time when the minimum age requirement is satisfied.

**7 Minimum requirements for admission to courses of study**

- (1) The requirements specified in this regulation are additional to those in regulation 5.
- (2) To qualify for admission to a course of study, unless otherwise determined by the Academic Board, a person must satisfy the following minimum achievement level:
  - (a) for an honours degree following a bachelor degree, a high level of achievement specified by the Academic Board in the relevant bachelor degree;

- (b) for a graduate certificate, a completed bachelor degree or equivalent;
  - (c) for a graduate diploma, a completed bachelor degree, graduate certificate or non-award faculty certificate or equivalent;
  - (d) for a postgraduate certificate, a completed bachelor degree in the same or a related discipline or field of study or equivalent;
  - (e) for a postgraduate diploma, a completed bachelor degree in the same or a related discipline or field of study or a postgraduate certificate or equivalent;
  - (f) for a master's by coursework degree, a completed bachelor degree or graduate certificate or equivalent;
  - (g) for a master's by research degree, a completed bachelor degree with a significant research component in a relevant field with a high level of achievement specified by the Academic Board or hold a qualification that is determined by the Academic Board as being at least equivalent;
  - (h) for a doctoral degree, a completed bachelor degree with a significant research component in a relevant field with a high level of achievement specified by the Academic Board or hold a qualification that is determined by the Academic Board as being at least equivalent.
- (3) To qualify for admission to a course of study, unless otherwise determined by the Academic Board, a person must satisfy the requirements for admission to the course determined under regulation 13(5)(a) or 38(2)(a), and any higher achievement level of results or additional requirements for admission specified by the Vice-Chancellor, as the case requires.
- (4) Unless otherwise determined by the Vice-Chancellor for a particular campus in circumstances they regard as exceptional, the ATAR, or equivalent, required for admission to an undergraduate course of study leading to a degree at any campus in any given admission period must not be more than 5 points below the lowest selection rank, or equivalent, applicable for admission to the same course at any campus in that period.
- (5) A person may be required to undergo an aptitude test, a university matriculation test or any other test determined by the Academic Board or the dean of the degree faculty as a requirement for admission to a course of study.

**8 Predicted results**

- (1) A person may be taken to have satisfied the requirements for admission to an undergraduate course of study specified in regulations 5 and 7 on the basis of their predicted level of results provided by an educational institution approved for this purpose by the Academic Board if:
  - (a) the predicted results are provided in a form and manner approved by the Academic Board; and
  - (b) the acceptance of predicted results has been approved by the dean of the degree faculty, or the Pro Vice-Chancellor for Malaysia, Indonesia or Suzhou in relation to a course of study undertaken at those locations; and
  - (c) the results were obtained in a program, and at an educational institution, approved by the Academic Board.

## **9 Alternative entrance pathways**

- (1) Nothing in this regulation applies to a higher degree by research.
- (2) This regulation sets out alternative entrance pathways under which a person who does not satisfy the academic requirements of regulations 5(1) and 7 for entrance to the University or admission to a course of study may be considered for entrance and admission.
- (3) A person may be considered for alternative entrance to the University and admission to a course of study on the basis of levels of achievement specified by the Academic Board in either or both of:
  - (a) 2 higher education units at a registered Australian higher education institution or units completed at an overseas educational institution assessed as being equivalent by the Academic Board;
  - (b) an aptitude test, university matriculation test or any other test approved by the Academic Board for use in the assessment of applicants for alternative entry.
- (4) For the purposes of subregulation (3)(a):
  - (a) for admission to a course of study, the dean of the degree faculty may require a person to have completed a specific unit or a unit in a specific discipline; and
  - (b) in considering a person's results for a single unit of study or an incomplete course of study, the level of results in the person's whole academic record must be considered.



- (5) The Academic Board, in circumstances it regards as exceptional and on the recommendation of the dean of the degree faculty, or the Pro Vice-Chancellor for Malaysia, Indonesia or Suzhou in relation to a course of study undertaken at those locations, and subject to any conditions specified by it, may consider a person or a class of person for entrance and admission to the University on the basis of recognition of prior learning which does not otherwise satisfy any of the entrance and admission requirements of the University.
- (6) A person who satisfies the requirements of an alternative entrance pathway for a course of study may be taken to have satisfied the entrance and admission requirements for that course.
- (7) To avoid doubt, satisfying the alternative entrance requirements does not remove the need to satisfy the English language proficiency requirements specified in regulation 5(3) in order to be qualified for entrance and admission to the University.

## **10 Special admission schemes**

- (1) Nothing in this regulation applies to a higher degree by research.
- (2) This regulation sets out special admission schemes under which a person who does not satisfy the requirements of regulations 5(1) and 7 for entrance to the University or admission to a course of study may be considered for entrance and admission.
- (3) The Academic Board may determine:
  - (a) circumstances in which a person may be considered for special admission to the University; and
  - (b) the categories for consideration and the requirements to be satisfied for consideration under those categories; and
  - (c) the manner in which consideration may be given to a person.
- (4) The dean of the degree faculty, or the Pro Vice-Chancellor for Malaysia, Indonesia or Suzhou in relation to a course of study undertaken at those locations, with the approval of the Academic Board, may establish a special admission scheme for a course of study.
- (5) A person may be considered for special admission to an undergraduate course of study if:
  - (d) the course is offered at an Australian campus and the person is not an international student or the course is offered at an international campus and the person is a citizen or permanent resident of the country in which the international campus is located; and

- (e) the person has satisfied the further requirements for admission to the course, other than those specified under regulation 7(2) or 7(3), and any additional requirements for consideration under the special admission schemes of the University or of the degree faculty; and
  - (f) the person is assessed as falling within one or more of the categories for consideration determined by the Academic Board in accordance with subregulation (3).
- (6) If a person is considered for special admission to an undergraduate course of study, a number of additional points may be added to the person's VCE aggregate score.
  - (7) The number of additional points to be added must not, for any one category for consideration, exceed the maximum points fixed for that category by the Academic Board or, if multiple categories for consideration are relevant, exceed 20 points in the person's VCE aggregate score.
  - (8) A person who satisfies the requirements of a special admission scheme for a course of study may be taken to have satisfied the admission requirements for that course.

**10A Admission of Aboriginal or Torres Strait Islander persons**

- (1) This regulation sets out schemes under which an Aboriginal or Torres Strait Islander person, including one who does not satisfy the requirements of regulations 5(1), 5(3) and/or 7 for entrance to the University or admission to a course of study, may be considered for entrance to the University and admission to a course of study, at an Australian campus.
- (2) The Deputy Vice-Chancellor (Education) must constitute an Indigenous student admission committee to be responsible for entrance and admission processes for all Aboriginal or Torres Strait Islander persons and to determine whether an Aboriginal or Torres Strait Islander person qualifies for admission to a course of study.
- (3) The Indigenous student admission committee may determine:
  - (a) circumstances in which an Aboriginal or Torres Strait Islander person may be considered for admission to the University; and
  - (b) any requirements to be satisfied by an Aboriginal or Torres Strait Islander person who is seeking admission to the University; and
  - (c) the procedure by which it determines whether an Aboriginal or Torres Strait Islander person satisfies the requirements for entrance to the University and admission to a course of study.
- (4) An Aboriginal or Torres Strait Islander person considered for admission under this regulation may have a number of additional points added to the person's VCE aggregate score, as determined by the Academic Board.

- (5) The Indigenous student admission committee will consider an Aboriginal or Torres Strait Islander person's likelihood of success in determining whether a person who does not satisfy the requirements of regulations 5(1), 5(3) and/or 7 for entrance to the University or admission to a course of study, should be admitted to a course of study.
- (6) The Indigenous student admission committee may determine, subject to any conditions specified by it, that an Aboriginal or Torres Strait Islander person satisfies the requirements for entrance to the University and admission to a course of study.
- (7) Nothing in this regulation allows the Indigenous student admission committee to waive the minimum age for admission or enrolment under regulation 6.

## **11 Eligibility for enrolment in a non-award study or unit of study**

- (1) A person may be accepted for enrolment in a unit of study or non-award study if the person:
  - (a) satisfies the English language requirements under regulation 5(3); and
  - (b) satisfies the minimum age requirement under regulation 6; and
  - (c) for enrolment in a unit of study, has met any prerequisite for the unit, or an equivalent as determined by the dean of the teaching faculty; and
  - (d) satisfies any additional requirements that the dean of the teaching faculty may determine.
- (2) In considering a person's eligibility for enrolment in a unit of study, the dean of the teaching faculty, or the Pro Vice-Chancellor for Malaysia, Indonesia or Suzhou in relation to a unit of study undertaken at those locations, may consider the person's complete academic record and may place greater importance on the aspects of that record that they consider most relevant.

## **12 Internal course transfers**

- (1) Nothing in this regulation applies to a higher degree by research.
- (2) A person admitted to a course of study may apply for transfer into another course of study.
- (3) Subject to subregulation (4), an application under subregulation (2) must be treated as an application for admission to the course and considered in competition with all other such applications in accordance with the normal selection processes of the University.

- (4) An application under subregulation (2) may only be considered if the applicant:
  - (a) has successfully completed a minimum of 12 credit points in a degree or other award; and
  - (b) satisfies the admission requirements of the course into which transfer is sought; and
  - (c) has performed at an appropriate level in the existing course as determined by the dean of the degree or managing faculty, as the case requires.

### **Part 3 Units, Coursework Degrees and other Awards**

#### **13A Centre for Professional Development and Online Education**

- (5) In applying this Part to the Centre for Professional Development and Online Education and Centre for Professional Development and Online Education Courses, any reference to the dean of a faculty is to be read as a reference to the Deputy Vice-Chancellor (Education) and any reference to a faculty is to be read as a reference to the Centre for Professional Development and Online Education.

#### **13 Admission and course of study requirements**

- (1) This regulation sets out how the Academic Board fulfils its responsibility under regulation 10(1)(e) of the Monash University (Council) Regulations for the accreditation and reaccreditation of units and courses of study required for a degree or other award.
- (2) Nothing in this regulation applies to a higher degree by research.
- (3) A course of study may comprise:
  - (a) units of study; and
  - (b) a thesis or other work.
- (4) Units of study may be compulsory or optional.
- (5) The dean of the degree faculty, with the approval of the Academic Board, is to determine the following with respect to a course of study:
  - (a) requirements for admission to the course of study;
  - (b) the content, number, timing, frequency and duration of units of study;
  - (c) pre-requisite, co-requisite and sequential units of study;
  - (d) combinations of units of study that may be undertaken;

- (e) prerequisite requirements for enrolment in a unit of study;

**Example**

**A police check or working with children check.**

- (f) the average level of performance in units of study to be attained so as to continue with the course of study;
  - (g) major and minor studies;
  - (h) requirements in relation to a thesis or project work including requirements as to supervision, submission and publication;
  - (i) the nature and extent of any fieldwork, clinical placement or other practical work component of the course of study;
  - (j) the allocation of credit points to a unit of study and the total number of credit points to be accumulated in order to qualify for the degree or other award;
  - (k) attendance or participation requirements;
  - (l) requirements for satisfactory completion of the course of study;
  - (m) requirements for the grant of an alternate exit award.
- (6) The dean of the managing faculty, with the approval of the Academic Board, is to determine any special requirements with respect to a double degree.
- (7) Unless otherwise determined by the dean of the degree faculty, with the approval of the Academic Board, the maximum duration of a course of study is:
- (a) for an honours degree that is ordinarily completed in one year if undertaken full time, 2 years; and
  - (b) in any other case, double the number of years required to complete the degree full time plus 2 years.
- (8) The dean must publish requirements determined under subregulation (5), (6) or (7) on the University website or in any other manner determined by them and make sure that an appropriate reference to the requirements is included in a University handbook.
- (9) Except with the prior approval of the dean of the degree faculty, or in the case of a double degree student, the dean of the managing faculty, a student may not:
- (a) undertake in another faculty of the University or in another university or another educational institution, a unit of study for which credit in the course of study is to be sought unless the unit is a published elective for that course of study; or

- (b) enrol in more than one course of study each of which leads to a degree other than a double degree; or
  - (c) enrol for more than 48 credit points in a calendar year; or
  - (d) be enrolled in a single unit of study at any time when concurrently enrolled in a course of study; or
  - (e) transfer from a double degree to one of its component degrees or another degree of the faculty; or
  - (f) be granted an intermission of more than 12 months.
- (10) Approval under subregulation (9)(b) may be granted with or without conditions.
- (11) The dean of the degree faculty must determine whether or not a student has met the requirements determined under subregulation (5)(l) for satisfactory completion of the course of study. A student who does not meet those requirements is not qualified to have the degree or other award conferred on or granted to them.
- (12) Requirements determined under subregulation (5) may be changed at any time with the approval of the Academic Board.
- (13) However, if the dean of the degree faculty considers that a student has since first enrolling for a degree or other award been unreasonably adversely affected by a change made under subregulation (12), they must permit the student to qualify for the degree or other award under the course of study requirements as in force at some time during the enrolment.
- (14) A dean may only give permission of a kind referred to in subregulation (13) if satisfied that the work required to be completed is equivalent in standard to that currently required to complete the course of study.

#### **14 Admission to a course of study**

- (1) Nothing in this regulation applies to a higher degree by research.
- (2) Subject to regulations 9, 10 and 10A, the dean of a degree faculty, or the Pro Vice-Chancellor for Malaysia, Indonesia or Suzhou in relation to a course of study undertaken at those locations, may admit an applicant to a course of study from the date on which they enrol following admission or an earlier date specified by the relevant dean or Pro Vice-Chancellor, if satisfied that the applicant:
- (a) meets the minimum requirements for entrance to the University under regulation 5(1); and
  - (b) meets the minimum age for admission or enrolment under regulation 6; and

- (c) meets the English language proficiency requirements under regulation 5(3); and
  - (d) meets the minimum requirements for admission to the course of study under regulation 7; and
  - (e) meets any additional requirements for admission to the course of study specified under regulation 8 of the Monash University (Vice-Chancellor) Regulations.
- (2A) To avoid doubt, the Indigenous student admission committee may admit an Aboriginal or Torres Strait Islander applicant to a course of study in accordance with regulation 10A(6).
- (3) A person must not be admitted to a course of study that has a research component, including a bachelor honours degree, unless the dean, or the Pro Vice-Chancellor for Malaysia, Indonesia or Suzhou in relation to a course of study undertaken at those locations, is satisfied that adequate supervision and facilities are available.
- (4) In selecting from among persons who meet the requirements for admission to a course of study, the dean of the degree faculty, or the Pro Vice-Chancellor for Malaysia, Indonesia or Suzhou in relation to a course of study undertaken at those locations, may consider a person's complete academic record and may place greater importance on the aspects of that record that they consider most relevant.

**15 Credit towards a course of study**

- (1) Nothing in this regulation applies to a higher degree by research.
- (2) Subject to this regulation, the dean of the degree faculty for a course of study on the application of a person, may grant the person credit towards a course of study in respect of learning or experience obtained by that person if satisfied that:
- (a) the coherence of the award is maintained;
  - (b) the person will have achieved all course learning outcomes upon completion of the course; and
  - (c) the person will not be disadvantaged in their ability to successfully complete the remaining units in the course.
- (3) Credit may be granted under subregulation (2):
- (a) at the time a person is admitted as a student in the course of study; or
  - (b) at any time during the person's enrolment in the course of study.

- (4) Credit must not be granted under subregulation (1) towards the research component of a course of study, except as specified by the Academic Board.
- (5) When determining whether to grant credit, the dean of the degree faculty must have regard to:
  - (a) changes in the knowledge and practices of the discipline;
  - (b) any applicable accreditation requirements;
  - (c) whether the prior learning would achieve the learning outcomes of the part or parts of the course for which credit is sought;
  - (d) any published principles about the requirements for recency; and
  - (e) any additional requirements as determined by the Academic Board.
- (6) Except with the approval of the Academic Board, a student must complete at the University:
  - (a) not less than one half of the credit points of a course of study comprised of 96 credit points or less; or
  - (b) not less than 48 credit points of a course of study comprised of more than 96 credit points; or
  - (c) not less than one half of the credit points of a course of study offered by the University in conjunction with another educational institution.
- (7) The limits in subregulation (6) may be reduced by a dean of the degree faculty in any particular case in circumstances authorised by the Academic Board.
- (8) Except with the approval of the Academic Board, the dean of a degree faculty must not grant credit to a student undertaking a degree or other award offered by the University in conjunction with another educational institution of more than half of the University's component of the course of study.

## **16 Assessment of units of study**

- (1) The dean of a teaching faculty must constitute a board of examiners and appoint one of the members as chair of the board.
- (2) The dean may divide the board into sections, with each section having authority in relation to one or more specified units of study.
- (3) The board may delegate any of its functions, powers or duties to any member of the board.
- (4) The dean must:



- (a) appoint a chief examiner for each unit of study taught by the faculty; and
  - (b) establish an assessment regime for each such unit before the start of the teaching period for that unit; and
  - (c) publish information about the assessment regime in the manner approved by the Academic Board.
- (5) The board:
- (a) must, after considering the recommendation of the chief examiner for the unit, determine the final results for each student enrolled in units taught by the faculty; and
  - (b) is responsible for monitoring and reviewing the results in units taught by the faculty; and
  - (c) may advise the dean on any matter relating to assessment.
- (6) The chief examiner must be a member of the academic staff of the teaching faculty but:
- (a) in the case of a unit taught at an international campus, may be a person employed in an academic position at that campus; or
  - (b) in the case of a unit taught at the Gippsland campus, may be a member of staff of Federation University Australia employed in an academic position at that campus.
- (7) If the chief examiner is not a member of staff or the board of examiners is not comprised of members of staff, the dean must establish a mechanism for review and oversight of the decisions of the chief examiner or board of examiners, as the case requires.
- (8) The chief examiner for a unit:
- (a) is responsible for the implementation of the unit assessment regime for the unit; and
  - (b) must, within the time specified by the board, recommend to the board the final result for each student enrolled in the unit.
- (9) If at any time the chief examiner for a unit of study becomes unwilling or unable to fulfil their duties as chief examiner, the dean may substitute another person as chief examiner for that unit.
- (10) If at any time a member of a board of examiners becomes unwilling or unable to fulfil their duties as a member, the dean may substitute another person for that member.

**17 Variation or replacement of assessment regime**

- (1) The dean of the teaching faculty, after consulting the chief examiner for a unit of study, may during a teaching period vary the assessment regime for the unit, or establish a new one for the unit, if satisfied that students will not be adversely affected.
- (2) If the teaching faculty is not the degree faculty for a unit of study, the assessment regime for the unit must be approved by the dean of the degree faculty.
- (3) The chair of the board of examiners of the teaching faculty, after consulting the chief examiner for a unit of study, may, in circumstances that the chair regards as exceptional, vary the assessment regime for the unit in relation to a particular student.

**18 Determination of final results in units of study**

- (1) The Academic Board may establish a grading scale for a unit of study and publish it on the University website or in any other manner determined by it.
- (2) A student's final results must be determined in accordance with that grading scale.
- (3) A student's final results may be changed by:
  - (a) the chair of the board of examiners of the teaching faculty for the unit if the chair is satisfied that the change is needed to correct an error; or
  - (b) the senior director of student and education business services or, if referred to it by the senior director of student and education business services, the relevant university panel, if the student failed to undertake or complete the unit assessment and the senior director student and education business services or panel, as required, is satisfied that the failure was due to extreme circumstances beyond the student's control; or
  - (c) the chair of the board of examiners of the degree faculty in accordance with regulation 19 or 19A.

**19 Supplementary assessment in units of study**

- (1) The board of examiners of the teaching faculty must grant a supplementary assessment to a student in respect of a unit of study if:
  - (a) the student's final result in the unit is within the range determined by the Academic Board; and
  - (b) the student meets any other criteria determined by the Academic Board.

- (2) A supplementary assessment must be in the form determined by the chief examiner for the unit of study.
- (3) The final result after a supplementary assessment is subject to any conditions as determined by the Academic Board.

**19A Amendment of final results and supplementary assessment due to COVID-19 pandemic**

- (1) In this regulation:
  - (a) specified teaching period means a teaching period which the Academic Board has determined was affected by the COVID-19 pandemic and to which this regulation applies; and
  - (b) COVID-19 affected assessment means an examination or assessment task, which the Academic Board has determined was affected by the COVID-19 pandemic and to which this regulation applies.
- (2) This regulation sets out the power to amend a student's final results and the eligibility of a student for supplementary assessment for:
  - (a) units of study undertaken during a specified teaching period; and
  - (b) units of study undertaken by students who have completed COVID-19 affected assessment.
- (3) A student:
  - (a) enrolled in a unit of study during a specified teaching period; or
  - (b) who has completed a COVID-19 affected assessment,may have their final results in the unit of study amended in the manner determined by the Academic Board.
- (4) The board of examiners of the degree faculty:
  - (a) must offer a supplementary assessment to the student in respect of a unit of study undertaken during a specified teaching period unless the Academic Board has specified a unit in which supplementary assessment is not available; and
  - (b) may offer a supplementary assessment to the student in respect of a unit of study for which the student completed a COVID-19 affected assessment if the student's final result in the unit is within the range determined by the Academic Board.
- (5) A supplementary assessment must be in the form determined by the chief examiner for the unit of study.

- (6) A student may be granted only one supplementary assessment in respect of each unit of study undertaken during a teaching period.
- (7) A supplementary assessment granted under subregulation (4) does not count towards the number of supplementary assessments a student may be granted under regulation 19.
- (8) The final result in a unit of study after a supplementary assessment is as determined by the board of the degree faculty, subject to any conditions as determined by the Academic Board.

## **20 Special consideration in units of study**

- (1) The Deputy Vice-Chancellor (Education) must specify by notice published on the University website:
  - (a) one or more officers responsible for receiving and determining applications for special consideration; and
  - (b) one or more officers authorised to extend the time prescribed under subregulation (3)(c) for submitting applications for special consideration; and
  - (c) the form in which applications for special consideration may be made by students under this subregulation 20(1).
- (2) A student whose work for an assessment in a unit of study during a teaching period has been affected by exceptional circumstances may apply for special consideration in accordance with subregulation 20(1).
- (3) An application under subregulation 20(1) must be made:
  - (a) in the form and manner referred to in subregulation 20(1)(c); or
  - (b) in another form and manner determined by the Academic Board; and
  - (c) within 2 working days after the assessment or due date.
- (4) An application must be considered by an officer specified by the Deputy Vice-Chancellor (Education) in accordance with subregulation 20(1), and may be granted or rejected.
- (5) An officer specified by the Deputy Vice-Chancellor (Education) in accordance with subregulation 20(1) may, in exceptional circumstances, extend the time prescribed by subregulation 20(3)(c) but any such extended time must be before the publication of results for the assessment concerned.

## **21 Deferred final assessment in units of study**

- (1) The Deputy Vice-Chancellor (Education) must specify by notice published on the University website, one or more officers responsible for receiving and determining applications for a deferred final assessment or an extension of time for submission.
- (2) A student who, due to exceptional circumstances, is unable to undertake or complete a final assessment task in a unit of study may apply to the officer specified in accordance with subregulation (1) for a deferred final assessment or an extension of time for submission, as the case requires.
- (3) An application under subregulation (2) must be made:
  - (a) in the form and manner determined by the Academic Board; and
  - (b) within 2 working days after the student's last scheduled assessment due date in the final assessment period concerned.
- (4) An application must be considered by the officer specified in accordance with subregulation (1) and may be granted or rejected.
- (5) The officer specified in subregulation (1) may, in circumstances they regard as exceptional, extend the time prescribed by subregulation (3)(b) but any such extended time must be before the publication of results for the unit of study concerned.
- (6) If the officer specified in subregulation (1) grants an application, the chief examiner for the unit must determine the work and format constituting the deferred final assessment or the extension of time for submission of work for the assessment task, as the case requires.
- (7) A deferred final assessment or extension of time for submission must be completed by a date that is no later than 90 days after the result release date for the teaching period concerned.
- (8) A decision to grant a deferred final assessment will be revoked where a student attends the original scheduled final assessment after the deferred final assessment application is granted.

## **22 Management of deferred final assessment in units of study**

- (1) In this regulation, **dean** means the dean of the managing faculty.
- (2) A student who is unable to undertake or complete a deferred final assessment task in a unit of study may apply to the officer specified in accordance with subregulation 21(1) for one further deferred final assessment or an extension of time for submission of work for the assessment task, as the case requires, if:
  - (a) the circumstances in subregulation (3) apply; and
  - (b) the student would be able to pass the unit of study if they pass the deferred final assessment task.

- (3) The circumstances are that:
  - (a) the student is registered with the disability services unit of the University (by whatever name known) and the failure was related to an ongoing disability;
  - (b) the circumstances in which the deferral was granted are unresolved; or
  - (c) the officer specified in accordance with subregulation 21(1) is satisfied that other exceptional circumstances exist.
- (4) An application under subregulation (2) must be made:
  - (a) in the form and manner determined by the Academic Board; and
  - (b) within 2 working days after the date of the student's deferred final assessment task.
- (5) In circumstances they regard as exceptional, the officer specified in accordance with subregulation 21(1) may extend the time fixed by subregulation (4)(b) for making an application but any such extended time must be before the publication of results for the unit of study concerned.
- (6) The officer specified in accordance with subregulation 21(1) may:
  - (a) subject to subregulation (9), permit the student to complete one further deferred assessment task if satisfied, on the basis of supporting evidence, that the student will be by then fit to complete the task; or
  - (b) reject the application and finalise the student's marks.
- (7) If an application is granted in accordance with subregulation (6)(a), the dean must determine the work and format constituting the deferred final assessment or the extension of time for submission of work for the assessment task, as the case requires.
- (8) A student will not be permitted to complete a further deferred final assessment task in a unit of study:
  - (a) on a date that is more than 90 days after the result release date for the teaching period concerned; or
  - (b) if the senior officer of the university designated as responsible by the Academic Board finds that a replacement examiner cannot be found for the unit in accordance with subregulation (10).
- (9) In circumstances they regard as exceptional, the President of the Academic Board may extend the date fixed by subregulation (8)(a) by which a student must complete a further deferred final assessment task.

- (10) The senior officer of the university designated as responsible by the Academic Board, following a referral from the officer specified in accordance with subregulation 21(1), may determine that a replacement examiner cannot be found for a unit of study where satisfied that the chief examiner for the unit is not available and no other member of academic staff has sufficient:
  - (a) expertise in the subject matter taught in that unit; and
  - (b) familiarity with the manner in which the unit of study was taught during the teaching period when the student was enrolled in the unit.
- (11) If the officer specified in accordance with subregulation 21(1) makes a decision under subregulation (6)(a), subject to subregulation (11), the dean may impose conditions on the study load of the student until the deferred assessment task has been undertaken.
- (12) Where the dean in subregulation (11) is not the dean of the degree faculty of the student, the first-mentioned dean must first obtain the agreement of the dean of the degree faculty.

**23 Scheduled final assessments in units of study**

- (1) Except in exceptional circumstances, a centrally held scheduled final assessment must be held in accordance with the relevant published timetable.
- (2) A student must be given at least 5 working days' notice of the time and mode, and if applicable the venue, of a faculty-run final assessment or of any variation to the centrally-held scheduled final assessments timetable.
- (3) The chief information officer or delegate in respect of each scheduled final assessment session, must appoint a session lead who is responsible for the administration of the session.
- (4) A student must sit a scheduled final assessment in the manner indicated on the published final assessment timetable.
- (5) A student completing a scheduled final assessment:
  - (a) must comply with all instructions given by the session lead; and
  - (b) must have in their possession, and produce to the session lead on request, their university identification card or other form of photographic identification approved for the purpose by the session lead.
  - (c) a student must not have in their possession, in a scheduled final assessment, any material other than that approved by the chief examiner for the unit concerned.

- (6) Failure by a student to comply with subregulation (6) constitutes a breach of instructions.
- (7) If the session lead receives a report alleging a breach of instructions, they may:
  - (a) make enquiries and inform themselves in any manner that they think fit.
  - (b) refer it to the responsible officer for general misconduct under Part 7 of the Monash University (Council) Regulations, if they reasonably believe that the conduct reported amounts to an act of general misconduct; or
  - (c) refer it to the chief examiner of the relevant unit under regulation 25, if they reasonably believe that the conduct reported amounts to a contravention of the University's academic integrity requirements

## **24 Alternative assessment arrangements**

- (1) A student with a disability within the meaning of the Disability Discrimination Act 1992 of the Commonwealth may apply for alternative assessment arrangements.
- (2) An application must be made to the member of staff of the University with responsibility for student disability services (*the director*).
- (3) An application must be made at least one month before the assessment or due date or the beginning of the official scheduled final assessment period, as the case requires.
- (4) The director, in circumstances that they regard as exceptional, may extend the period for making an application but not to a date less than 3 working days before the assessment or due date or the beginning of the official scheduled final assessment period, as the case requires.
- (5) The director or their nominee may grant or reject an application under this regulation.
- (6) If an application is granted, the director, with the approval of the chief examiner if the time or substance of the assessment is in any way affected:
  - (a) must determine the alternative assessment arrangements and any particular assessment conditions for the applicant; and
  - (b) may determine that the same arrangements apply in respect of all assessments undertaken by the applicant within a specified period.

## **25 Assessment of work in units of study affected by an academic integrity allegation**



- (1) If an allegation is made that in a unit of study a student has contravened the academic integrity requirements of the University, including by an act of plagiarism or collusion, the chief examiner or their nominee must review the allegation and determine whether the contravention was minor, trivial or frivolous.
- (2) If the chief examiner or nominee determines that the contravention was minor, trivial or frivolous , they must provide the student with a warning and:
  - (a) mark the assessment task disallowing the portion that contravenes academic integrity ; or
  - (b) require the student to resubmit the assessment task which can be marked up to a maximum mark of 50 per cent of the available marks for the task.
- (3) If the chief examiner or nominee determines that the contravention was greater than a minor, trivial or frivolous contravention , it must be dealt with as an act of academic misconduct.

**Note**

See Part 7 of the Monash University (Council) Regulations.

## **Part 4 Exclusion for Unsatisfactory Progress or Inability to Progress**

### **26 Application**

- (1) This Part does not apply to a person enrolled as a student for:
  - (a) a higher degree by research; or
  - (b) a pathway diploma.
- (2) In applying this Part to the Centre for Professional Development and Online Education and Centre for Professional Development and Online Education Courses, any reference to the dean of a faculty is to be read as a reference to the Deputy Vice-Chancellor (Education) and any reference to a faculty is to be read as a reference to the Centre for Professional Development and Online Education.

### **27 Adoption of finding of partner institution**

- (1) Subregulation (2) applies if:
  - (a) a student is undertaking a joint degree or other award between the University and a partner institution; and
  - (b) the partner institution has found that the academic progress of the student is unsatisfactory.

- (2) The dean of the teaching faculty, an academic progress committee or a member of the exclusion appeals panel may adopt the finding of the partner institution as their own decision, including a decision on an appeal.
- (3) Before adopting a finding of a partner institution, the dean, academic progress committee or member of the exclusion appeals panel must be satisfied that:
  - (a) the rules of natural justice were observed in the making of the decision by the partner institution; and
  - (b) the process followed by the partner institution was in compliance with any relevant legislative requirement imposed on the University.
- (4) To avoid doubt, in making a decision by adopting the finding of a partner institution, a dean, academic progress committee or member of the exclusion appeals panel is not required to follow the decision-making process set out in this Part.

**28 Effect of formal complaint**

- (1) This regulation applies if a student lodges a formal complaint relevant to their academic progress or inability to progress in accordance with a written university policy or procedure.
- (2) The lodgement of a formal complaint does not affect or prevent any action or decision being taken, or the commencement or continuation of any process, under this Part
- (3) Sub- regulation (2) applies even if the formal complaint is lodged:
  - (a) before the taking of the action or the making of the decision; or
  - (b) before or during the process.

**29 Academic progress committees**

- (1) The dean of each faculty must constitute one or more academic progress committees, each having at least 4 members, including at least one member who is a student.
- (2) For each committee one member (who must be a member of the academic staff of the faculty at the level of senior lecturer or above) is to be appointed for a period of 2 years and is to be the chair of the committee.
- (3) Each other member of a committee is to be appointed for the period that the dean determines.
- (4) A quorum for a meeting of an academic progress committee is two-thirds of the members of the committee including the chair.
- (5) An academic progress committee:

- (a) may include a member of staff of the faculty who is not a member of the academic staff but who has experience in dealing with student advice and student enrolment management; and
  - (b) must include a member who is a student, unless the student whose academic progress is being reviewed has requested or agreed that the committee not contain a student member
- (6) Despite subregulations (2) and (5)(a), if the person concerned is a student admitted to a degree or other award being undertaken at an international campus, the academic progress committee may include or consist of persons employed in academic positions at that campus. One person is to be appointed as the chair of the committee.
- (7) Despite subregulations (2) and (5)(a), if the person concerned is a student admitted to a degree or other award being undertaken at the Gippsland campus, the academic progress committee may include or consist of persons employed by Federation University Australia in an academic position at that campus. One person is to be appointed as the chair of the committee.
- (8) When hearing a matter referred to it under this Part, an academic progress committee is bound by the rules of natural justice but not by the rules of evidence.

### **30 Powers of deans**

- (1) The dean of a faculty may, in the circumstances specified in subregulation (2):
- (a) impose terms or conditions on a student's continuing enrolment; or
  - (b) refer the matter to an academic progress committee for hearing.
- (2) The circumstances are that the dean is of the opinion that:
- (a) the academic progress of a student admitted to a course of study for which the faculty is the degree or managing faculty is unsatisfactory having regard to their results in, or failure to undertake, any assessment task or other work; or
  - (b) the student is at risk of being unable to complete their course of study within the maximum period of enrolment.
- (3) The dean of a faculty may, in the circumstances specified in subregulation (4), refer the matter to an academic progress committee for hearing.
- (4) The circumstances are that the dean is of the opinion that a student admitted to a course of study for which the faculty is the degree or managing faculty is unable to progress with their course of study for one or more of the following reasons:

- (a) the student has not satisfied a requirement for continued progress in a course of study determined by the dean of a faculty for the course under regulation 13(5);
  - (b) the student is unable to obtain a police check, working with children check or other certification of the standard necessary to undertake a requirement of their course of study;
  - (c) the student is unable to complete a work placement (howsoever described) that constitutes a compulsory unit or component of their course of study because the University's usual placement providers will not, for any reason other than there being an insufficient number of placements available, accept the student.
- (5) If a dean forms an opinion under this regulation in relation to a double degree student, they must consult with the dean of the other faculty.
- (6) If both deans form an opinion under this regulation in relation to a double degree student:
- (a) the dean empowered to act under this regulation is the dean of the managing faculty; and
  - (b) the academic progress committee of the managing faculty may be augmented by a member of the other faculty.
- (7) If only one dean forms an opinion under this regulation in relation to a double degree student, that dean is empowered to act under this regulation.

### **31 Provisions relating to references**

- (1) Subject to subregulation (1A), before a matter may be referred to an academic progress committee under regulation 30(1) in the circumstances specified in regulation 30(2)(a), the dean must be satisfied that the student concerned:
- (a) has failed to comply with any terms or conditions on a student's continuing enrolment imposed by the dean under regulation 30(1)(a) or by an academic progress committee;
  - (b) has received a fail grade for 50 per cent or more of the credit points completed by the student for an academic progress period, in two or more consecutively reviewed academic progress periods;
  - (c) has failed the same unit for a subsequent time in two or more consecutively reviewed academic progress periods;
  - (d) has failed the same compulsory unit for a subsequent time; or
  - (e) is unable to complete the required credit points for the course within the relevant period of the maximum period of enrolment.

- (1A) For students enrolled at Monash South Africa, unless the Academic Board otherwise determines, before a matter may be referred to an academic progress committee under regulation 30(1) in the circumstances specified in regulation 30(2)(a), the dean must be satisfied that the student concerned has:
- (a) done the following:
    - (i) completed at least 2 semesters of enrolment in the course of study; and
    - (ii) in the 12 month period commencing in December of the previous year, passed less than 50% of the units in which the student is enrolled; or
  - (b) failed the same compulsory unit twice; or
  - (c) failed to comply with any terms or conditions imposed by the dean under regulation 30(1)(a) or by an academic progress committee.
- (2) For the purposes of regulation 30(2)(b), the maximum period of enrolment for a student enrolled in a course of study at Monash South Africa means a period ending no later than the teach-out course expiry date for that course of study.
- (3) A change to a student's grade made by the University after a matter is referred to an academic progress committee does not invalidate the referral or any determination made by the committee unless the change is made for the sole purpose of correcting an error made by the University.

## **32 Procedure and powers of academic progress committees**

- (1) Notice of an academic progress committee hearing must be served on the student concerned not less than 10 working days before the hearing unless a shorter period is agreed to by the student.
- (2) The notice must include reasonable particulars of the student's alleged unsatisfactory progress or inability to progress.
- (3) A student is entitled at an academic progress committee hearing:
- (a) to submit written evidence; and
  - (b) to be heard personally; and
  - (c) to be accompanied and assisted by a student of the University, a member of staff of their campus or a member of staff of an association recognised under Part 9 of the Monash University (Council) Regulations or, subject to subregulation (4)(c), by any other person approved by the committee.
- (4) A student who wishes to attend or submit evidence, or both, at an academic progress committee hearing:

- (a) must give notice to this effect to the committee within the time specified in the notice of hearing under subregulation (1); and
  - (b) may, in the notice, elect to be heard by the committee comprised of members of the faculty only; and
  - (c) must give not less than 2 working days' notice if they intend to be accompanied and assisted by a person other than a student of the University, a member of staff of their campus or a member of staff of an association recognised under Part 9 of the Monash University (Council) Regulations.
- (5) If a student does not give a notice under subregulation (4)(a), that student will have no right to attend or submit evidence at an academic progress committee hearing and the academic progress committee may make a decision under subregulation (6) in the student's absence.
- (6) An academic progress committee, in relation to a matter referred under regulation 30(1)(b), may make one or more of the following decisions:
- (a) permit the student concerned to continue enrolment subject to any conditions specified by it;
  - (b) recommend actions to be taken by the student; or
  - (c) after a hearing, exclude the student from enrolment for the degree or other award concerned or from enrolment for any degree or other award of the University.
- (7) An academic progress committee, after hearing a matter referred under regulation 30(3), if satisfied as to the matters specified in regulation 30(4), must decide to exclude the student from enrolment for the degree or other award concerned.
- (8) Notice of the decision of an academic progress committee, and the reasons for the decision, must be served on the student concerned not more than 10 working days after the decision.
- (9) A student enrolled at Monash South Africa must not be excluded under this regulation between the first and second semester examinations in any year.
- (10) A student who is excluded under this regulation remains a student:
- (a) so long as they have any right of appeal, or right to apply for a re-hearing, under this Part; and
  - (b) if they serve a notice of appeal, or the matter is referred back to the committee for re-hearing, until the appeal process or re-hearing is concluded.

- (11) If a double degree student is excluded under this regulation, the exclusion is from both degrees of enrolment.
- (12) Despite subregulation (11), if only one dean formed an opinion under regulation 30, the double degree student may apply to enrol for the former degree of enrolment of the other faculty and the dean of the managing faculty may admit the student to enrolment for that degree subject to any terms or conditions specified by that dean.

### **32A Review of Conditions**

- (1) This regulation does not apply to students enrolled at Monash South Africa.
- (2) A student who has had terms or conditions imposed on their enrolment by an academic progress committee under regulation 32(6)(a), may request the dean of the student's managing faculty to review those terms and conditions.
- (3) A request for a review may be made by serving an application for a review, in the form published on the University website, on the dean of the managing faculty within:
  - (a) 10 working days after the date that service of decision to impose the terms of conditions is taken to have been effected under regulation 37(2); or
  - (b) any extended period determined by the dean in circumstances that the dean regards as exceptional.
- (4) A student's right to apply for a review under subregulation (2) is limited to circumstances where new evidence exists that was not reasonably available to the student at the time the terms or conditions were imposed and which had the potential to affect the decision to impose the terms or conditions.

### **33 Exclusion appeals panel**

- (1) The Academic Board must appoint an exclusion appeals panel of not less than 3 members and may from time to time appoint additional members.
- (2) A person is eligible for appointment to the exclusion appeals panel if that person:
  - (a) is a member of the academic staff of a faculty and has had not less than 2 years' experience as chair of an academic progress committee; or
  - (b) is a member of the academic staff of the faculty of law with experience in the area of administrative law.

- (3) A student who has been excluded from enrolment under regulation 32 may appeal the exclusion decision to the exclusion appeals panel.
- (4) An appeal is made by serving a notice of appeal, in the form published on the University website, on the secretary to the exclusion appeals panel:
  - (a) within 20 working days after the date that service of notice of the exclusion decision is taken to have been effected; or
  - (b) within any extended period determined by the President of the Academic Board in circumstances that the President regards as exceptional.
- (5) A student's right of appeal under subregulation (3) is limited to one or both of the following grounds:
  - (a) new evidence exists that was not reasonably available to the student at the time of the academic progress committee hearing and which had the potential to affect the decision of the academic progress committee;
  - (b) a procedural irregularity which had the potential to affect the decision of the academic progress committee.

#### **34 Application to dean for re-consideration**

- (1) A student who fails to appear at, and to submit evidence to, an academic progress committee hearing has no right of appeal but may apply to the dean for re-consideration.
- (2) An application under subregulation (1) must be made in writing and served on the dean within 20 working days after the date that service of notice of the exclusion decision is taken to have been effected under regulation 37(2).
- (3) If, after considering an application under subregulation (1), the dean determines that the circumstances of the case are exceptional, they may set aside the exclusion and deal with the matter again under regulation 30.

#### **35 Re-hearing by academic progress committee**

If, in dealing with a matter again under regulation 30 the dean decides to refer the matter to an academic progress committee for re-hearing, the following apply:

- (a) subject to this regulation, the provisions of this Part that apply to a hearing by an academic progress committee apply to a re-hearing by such a committee;
- (b) the committee must not include a member of the committee that made the original decision;



- (c) the re-hearing is of the same nature as an original hearing; and
- (d) the student's right of appeal under regulation 33(3) is limited to the ground specified in regulation 33(5)(b).

**36 Powers of exclusion appeals panel member**

- (1) If a student serves a notice of appeal under regulation 33(4), the executive officer of the exclusion appeals panel must, within 10 working days after receipt of the notice, refer the matter to a member of the exclusion appeals panel who must then determine the appeal.
- (2) Where the notice of appeal raises a complex issue of a legal nature, the matter is to be referred to a legally qualified member of the exclusion appeals panel who may be a member of the student's faculty. Where it is unclear that the appeal raises a complex issue of a legal nature, this question is to be determined by the chair of the committee responsible for academic exclusions policy.
- (3) The member, after considering the notice of appeal, may:
  - (a) decide to dismiss the appeal; or
  - (b) uphold the appeal on the ground of new evidence or a procedural irregularity, or on both grounds, and refer the matter back to the dean to deal with the matter again under regulation 30.
- (4) Before making a determination under subregulation (3), the member of the exclusion appeals panel may hold a hearing.
- (5) Notice of an exclusion appeals panel member hearing must be served on the student concerned not less than 10 working days before the hearing unless a shorter period is agreed to by the student.
- (6) A student and the dean of the degree faculty are entitled at an exclusion appeals panel member hearing:
  - (a) to submit written evidence; and
  - (b) to be heard personally; and
  - (c) to be accompanied and assisted by a member of staff or student of the University or a member of staff of an association recognised under Part 9 of the Monash University (Council) Regulations or by any other person approved by the exclusion appeals panel member, who may also be heard.
- (7) If a student is permitted to be represented by a legally qualified person at a hearing, the University may also be legally represented by one other person at the hearing.

- (8) Notice of a determination under subregulation (2), and the reasons for the determination, must be served on the student concerned not more than 7 days after the determination.
- (9) A member of the exclusion appeals panel must not hear or determine an appeal made by a student of the faculty of which they are a member.

**37 Service of notices**

- (1) Service of a notice on a student under this Part must be on the student personally, by pre-paid post or email to the address or email address of the student in the records of the University.
- (2) Service of a notice is to be taken to have been effected:
  - (a) for a notice served personally, on the date on which it is delivered; or
  - (b) for a notice served by email, on the date on which it is emailed; or
  - (c) for a notice served by pre-paid priority post within the country from where it was sent, 4 working days after the date on which it is posted; or
  - (d) for a notice served by pre-paid express post or courier outside the country from where it was sent, 5 working days after the date on which it is posted or sent.

**37A Special provision relating to Monash University Malaysia**

- (1) In this regulation, **PHEIA** means the Malaysian Private Higher Educational Institutions Act 1996 (Act 555) as amended from time to time and, where the context requires, includes any other relevant Malaysian laws applicable to private higher educational institutions.
- (2) The Pro Vice-Chancellor of Monash University Malaysia may take any necessary action or step to comply with or give effect to PHEIA.
- (3) Any person or body exercising a function or power under this Part in relation to a student undertaking a course of study at Monash University Malaysia must be taken to have all the functions and powers of the Pro Vice-Chancellor of Monash University Malaysia for that purpose.
- (4) In the event of any inconsistency between PHEIA and these regulations, PHEIA prevails.
- (5) Without limiting this regulation:

- (a) a student may be accompanied, assisted and represented at any meeting, hearing, appeal or other stage of a process for exclusion for unsatisfactory progress or inability to progress by an employee at Monash University Malaysia or a student undertaking a course of study there; and
- (b) a student who is dissatisfied with a decision of a responsible officer or panel may submit an appeal in writing to the Malaysian Registrar General of Private Higher Educational Institutions in accordance with PHEIA.

**37B Transitional provision**

- (1) In this regulation:
  - (a) commencement means 1 January 2020; and.
  - (b) Amending Regulations means the Monash University (Academic Board) Amendment No. 2 of 2019.
- (2) Despite any other provision of these Regulations, where a dean refers a matter to an academic progress committee under regulation 30(1)(b) or regulation 30(3) prior to commencement, that referral and any subsequent processes or appeals arising from that referral are to be dealt with under the Regulations in force immediately prior to the commencement as if the Amending Regulations had not been made.
- (3) A student who has had a condition placed on their enrolment under regulations 30(1)(a) or 32(6)(a) between the period of 1 January 2019 and the end of the first academic progress period in 2020 may be referred to an academic progress committee following the end of the first academic progress period in 2020 where they have met a criteria specified in regulation 31(1)(1)-(e) notwithstanding that they have not met such criteria in two or more consecutively reviewed academic progress periods.

**Part 5 Higher Degrees by Research**

**38 Admission and study program requirements**

- (1) This regulation sets out how the Academic Board fulfils its responsibility under regulation 10(1)(e) of the Monash University (Council) Regulations for the accreditation and reaccreditation of courses of study required for a higher degree by research.
- (2) The Graduate Research Committee, with the approval of the Academic Board, must:
  - (a) determine the requirements for admission to a course of study for a higher degree by research; and

- (b) specify the study program for a higher degree by research, which must include a thesis or alternative research component comprising at least two-thirds of the study program and may include units and practical work; and
  - (c) determine the requirements applicable to a thesis or alternative research component including requirements relating to its content, the manner in which it is to be submitted, what must be supplied with it and its availability for consultation or copying through the University library; and
  - (d) specify different study programs for degrees of different kinds.
- (3) The study program for a doctoral degree must be completed in not less than 36 months of full-time enrolment (or the equivalent period of part-time enrolment) and not more than 48 months of full-time enrolment (or the equivalent period of part-time enrolment) unless the Committee, on the recommendation of the dean of the teaching faculty or the head of the relevant academic unit, determines otherwise.
- (4) The study program for a master's degree by research must be completed in not less than 12 months of full-time enrolment (or the equivalent period of part-time enrolment) and not more than 24 months of full-time enrolment (or the equivalent period of part-time enrolment) unless the Committee, on the recommendation of the dean of the teaching faculty or the head of the relevant academic unit, determines otherwise.
- (5) The Committee must cause any matters determined or specified under subregulation (2), (3) or (4) to be published in a University handbook.
- (6) The Committee, on the recommendation of the head of the relevant academic unit, may approve a change in the specified study program for a student.
- (7) The Committee may grant a student credit in respect of a unit of study for work completed, or a qualification or experience obtained, by that person that:
  - (a) is equivalent to that unit of study or to a prerequisite qualification for admission to that unit of study; and
  - (b) was successfully completed within the period of 10 years immediately before admission to the course of study or any longer period approved by the Committee in circumstances it regards as exceptional.
- (8) Credit may not be granted under subregulation (7) in respect of a thesis or alternative research component.

- (9) The Committee may approve a reduction of the minimum duration of the course of study provided for in subregulation (3) or (4) on the recommendation of the head of the relevant academic unit, provided that enrolment must not be less than 12 months of full time enrolment, or the equivalent period of part-time enrolment.
- (10) Where a student transfers from one higher degree by research to another higher degree by research, the maximum duration of the course of study provided for in subregulation (3) or (4) is reduced by the period of enrolment in the degree from which the student is transferring.
- (11) The Committee may at any time, subject to any conditions that it thinks fit, grant a student:
  - (a) leave of absence of up to 12 months in total or any longer period approved by the Committee in circumstances it regards as exceptional; and
  - (b) maternity, paternity or adoption leave of up to 12 months after each birth or adoption if the student is the primary carer of the child.

**39 Application for admission to enrolment**

- (1) A person who wishes to be admitted to a higher degree by research must apply to the Graduate Research Committee in the form approved by it.
- (2) An application under subregulation (1) must be supported by the recommendation of the dean of the teaching faculty or the head of the relevant academic unit and accompanied by a proposed study program.

**40 Review panel**

The Graduate Research Committee may constitute a review panel of 2 or more persons to advise it on the application.

**41 Admission**

- (1) The Graduate Research Committee may admit an applicant under regulation 39(1) to a higher degree by research, on a full-time or part-time basis, from the date on which that applicant enrolls following admission or an earlier date specified by it if satisfied that:
  - (a) the applicant meets the minimum requirements for entrance to the University under regulation 5(1); and
  - (b) the applicant meets the English language proficiency requirements under regulation 5(3); and
  - (c) the applicant meets the minimum requirements for admission to the course of study under regulation 7; and

- (d) the applicant meets the requirements for admission to the degree specified under regulation 9 of the Monash University (Vice-Chancellor) Regulations; and
  - (e) there is available supervisors with appropriate qualifications and research skills and experience, and sufficient research facilities ; and
  - (f) the applicant has the necessary prior training and academic ability to pursue the proposed study program, including a demonstrated ability to carry out independent research.
- (2) In selecting from among persons who meet the requirements for admission, preference may be given to a person who has not qualified for the higher degree by research applied for at the University or any other university, over a person who has so qualified.
- (3) In selecting from among persons who meet the requirements for admission to a course of study, the Graduate Research Committee may consider a person's complete academic record and may place greater importance on the aspects of that record that it considers most relevant.
- (4) The admission of an applicant to a course of study may be made subject to any conditions that the Graduate Research Committee thinks fit.
- (5) Without limiting subregulation (2), if the applicant is currently undertaking a course of study for which a degree may be conferred, the Graduate Research Committee may make their admission conditional on them becoming entitled to have a degree at a specified standard conferred on them within a specified time.
- (6) The Graduate Research Committee may only specify a date for commencement of enrolment that is earlier than the enrolment date in the course of study for the higher degree by research if
- the student is transferring from enrolment for a master's degree by research.
- (7) For a student transferring from enrolment for a master's degree by research, the earlier date must be the date of first enrolment in the course of study for that degree unless the Graduate Research Committee determines that a later date is appropriate.

## **42 Re-admission**

- (1) This regulation applies to a person who has been a student for a higher degree by research but has:
- (a) failed to re-enrol in the course of study; or
  - (b) allowed their enrolment in the course of study to lapse; or
  - (c) withdrawn from enrolment in the course of study; or

- (d) had their enrolment ended for reasons other than under regulation 54(1)
- (2) A person who wishes to be re-admitted to a course of study specified in subregulation (1) must apply to the Graduate Research Committee in the form approved by it.
- (3) The Graduate Research Committee may re-admit a person who applies under subregulation (2) subject to any conditions that it thinks fit.
- (4) The Committee may only re-admit a person:
  - (a) where the person applies within 4 years of an event described in subregulation (1); and
  - (b) where re-admission is supported by the head of the relevant academic unit; and
  - (c) where there is available supervisors with appropriate qualifications and research skills and experience, and sufficient research facilities.

#### **43 Enrolment**

- (1A) This regulation applies to a student for a higher degree by research.
- (1) The Graduate Research Committee may at any time, subject to any conditions that the Committee thinks fit, permit a part-time student to transfer to full-time enrolment or a full-time student to transfer to part-time enrolment.
- (2) Full-time enrolment requires the pursuit of the study program for not less than 4 days each week.
- (3) Part-time enrolment requires the pursuit of the study program for not less than 2 days each week.
- (4) Unless authorised by the Graduate Research Committee in circumstances it regards as exceptional, a student must not be concurrently admitted to another course of study or enrolled in another unit of study at the University or any other educational institution.
- (5) The Graduate Research Committee, on the recommendation of the head of the relevant academic unit, may permit a student to enrol as an external student or an external student to transfer to regular enrolment.
- (6) The Graduate Research Committee, on the recommendation of the head of the relevant academic unit, may approve a student to study away from the University.
- (7) The enrolment of a person as an external student or on study away may be made subject to any conditions that the Graduate Research Committee thinks fit.

- (8) A person admitted to a higher degree by research, including a person who is an external student or on study away, must maintain enrolment as a student of the University.
- (9) The Graduate Research Committee may impose a condition or conditions on a student's enrolment.
- (10) A student must comply with a condition imposed on their enrolment.

#### **44 Supervision**

- (1) Subject to subregulations (4) and (6), after consultation with the head of the relevant academic unit, the associate dean graduate research of the teaching faculty or institute must:
  - (a) appoint as a main supervisor of a student:
    - (i) a member of the academic staff; or
    - (ii) a person holding an adjunct appointment with the University and who has appropriate qualifications, sufficient research skills and experience, and is willing and able to meet the requirements of a supervisor set by the Graduate Research Committee from time to time; and
  - (b) appoint one or more persons of recognised standing in the relevant field as associate supervisors, whether or not any such person is a member of the academic staff.
- (2) After consultation with the head of the relevant academic unit, the associate dean graduate research of the teaching faculty or institute must appoint a new supervisor to replace a supervisor who is unable to carry out their duties as supervisor for 6 or more consecutive weeks.
- (3) A supervisor must not be a student for a higher degree by research.
- (4) If the person concerned is a student for a higher degree by research being undertaken at an international campus or the Gippsland campus, after consultation with the head of the relevant academic unit, the associate dean graduate research of the teaching faculty or institute must appoint a supervision team consisting of:
  - (a) a person employed in an academic position at that campus as a main supervisor of the student; and
  - (b) one or more persons of recognised standing in the relevant field as associate supervisors, whether or not any such person is employed at that campus; and
  - (c) in the case of the Gippsland campus, the associate dean graduate research of the teaching faculty or institute or their nominee.



- (5) The appointment by the associate dean graduate research of the teaching faculty or institute of a main supervisor or an associate supervisor under this regulation may be subject to any conditions that it thinks fit.
- (6) The Chair or Deputy Chair of the Graduate Research Committee may, in exceptional circumstances as determined by them, exercise all functions, powers and duties of an associate dean graduate research under this regulation.

**45 Examination of thesis or alternative research component**

- (1) After a thesis or alternative research component is submitted, the Graduate Research Committee must determine whether or not it is to be examined.
- (2) If the Committee determines that the thesis or alternative research component is to be examined, it must appoint examiners whom it considers to be suitably qualified and eligible for appointment.
- (3) The Committee may cause an oral examination of the student to be held in a manner determined by it.
- (4) In the event of a difference of opinion between the examiners, the Committee may appoint persons nominated by it to advise it.
- (5) The Committee must determine whether or not the student has satisfactorily completed the requirements for the degree.
- (6) In making a determination under subregulation (5) the Committee must consider:
  - (a) the results of the examination or assessment of any unit of study or practical work; and
  - (b) the result of any oral examination; and
  - (c) the reports of the examiners.
- (7) If the Committee determines that a student has not satisfactorily completed all the requirements for the degree it may:
  - (a) recommend a further examination or assessment of a unit of study or practical work; or
  - (b) determine to give the student leave to re-submit a thesis or alternative research component; or
  - (c) in circumstances it regards as exceptional, in the case of a student for a doctoral degree, determine that the student has satisfactorily completed all the requirements for a master's degree by research.

- (8) The student is qualified to have the higher degree by research conferred on them only if the Committee determines that the student has satisfactorily completed the requirements for the degree.
- (9) The student is qualified to have the master's degree by research conferred on them if the committee has made a determination referred to in subregulation (7)(c).

**46 Change to enrolment regulations**

The Graduate Research Committee may permit an enrolment to continue to be governed by regulations relating to the higher degree by research that are revoked but were in force at some time during the enrolment (the revoked regulations) if satisfied that:

- (a) the student has been unreasonably adversely affected by a change in the governing regulations; and
- (b) the standard of work required to be completed by the enrolment under the revoked regulations is at least equivalent to that under the new regulations.

**Part 6 Student Progress Management**

**47 Application**

- (1) This Part applies to a student for a higher degree by research.
- (2) Subregulation (3) applies if:
  - (a) a student is undertaking a joint degree or other award between the University and a partner institution; and
  - (b) the partner institution has found that the academic progress of the student is unsatisfactory or the student has failed to comply with a requirement relating to their enrolment.
- (3) The Graduate Research Committee may adopt the finding of the partner institution as their own decision.
- (4) Before adopting a finding of a partner institution, the Graduate Research Committee must be satisfied that:
  - (a) the rules of natural justice were observed in the making of the decision by the partner institution; and
  - (b) the process followed by the partner institution was in compliance with any relevant legislative requirement imposed on the University.

- (5) To avoid doubt, if a decision is made by the Graduate Research Committee to adopt the finding of a partner institution, the Graduate Research Committee is not required to follow the decision-making process set out in this Part.

**48 Milestone review**

- (1) All higher degree by research students must meet progress milestones specified in the University handbook.
- (2) On admitting a person to a course of study, the Graduate Research Committee must provide the student with a written notice setting out:
  - (a) the name of the teaching faculty; and
  - (b) the milestones applicable to the student's course of study.
- (3) After the student commences the course of study, the Graduate Research Committee must provide the student with written notice setting out the dates by which each milestone must be completed by the student.
- (4) A student who fails to satisfactorily complete a milestone by the date specified in this notice or any variation of the notice provided to the student, may have their enrolment terminated.
- (5) Where the student lodges a formal complaint relevant to their milestone review in accordance with a written university policy or procedures:
  - (a) after the panel is appointed, the milestone review panel must proceed to determine the milestone; or
  - (b) before the panel is appointed, the milestone review panel may proceed to determine the milestone.

**49 Constitution of a milestone review panel**

- (1) The head of the relevant academic unit must convene a milestone review panel to review the student's progress prior to the date specified for completion of the milestone or, if they are not independent of the student's research, the dean of the teaching faculty must appoint another person to do so.
- (2) A milestone review panel is constituted by:
  - (a) its convenor who is to be its chair, who is either a member of staff of the University or a person holding an adjunct appointment that has appropriate qualifications and research skills and experience and is willing and able to meet the requirements to chair the panel; and
  - (b) two or more persons independent of the student's research, one of whom must be familiar with the student's area of research.

- (3) The chair may co-opt any other person to be a member of the panel.
- (4) If at any time a member becomes unwilling or unable to fulfil their duties as a member, the chair may substitute that member with another person. Where the chair becomes unwilling or unable to fulfil their duties, the dean of the teaching faculty may substitute the chair with another person.

**Note**

See also regulation 59 for powers of the panel.

**50 Procedure for milestone review**

- (1) For a milestone review the student must:
  - (a) give an oral presentation of the research project at a forum open to the public; and
  - (b) provide a written submission of the research project; and
  - (c) demonstrate satisfactory completion of all components of the milestone.
- (2) Unless alternate arrangements are substituted by the chair, the milestone review panel must:
  - (a) attend the student's oral presentation; and
  - (b) read and assess the student's written submission; and
  - (c) provide feedback to the student on the quality of the research project; and
  - (d) determine whether the milestone has been satisfactorily completed; and
  - (e) if the milestone has not been satisfactorily completed, specify a further period and tasks for the student to complete to meet the requirements of the milestone; and
  - (f) where a further period is set under subparagraph (2)(e), reconvene after that period ends to reconsider if the milestone has been satisfactorily completed.
- (3) A decision of the panel must be supported by at least a majority of its members and, in the event of the votes on the matter being equal, the chair has a casting vote.
- (4) The decision of the panel and the reasons for it must be notified in writing to the delegate of the Graduate Research Committee and the student within 5 working days of the decision being made.

**51 Notice of unsatisfactory progress or inability to progress**

- (1) The head of the relevant academic unit may at any time provide a student with notice in writing under subregulation (4) if of the opinion that the academic progress of the student is unsatisfactory or the student's enrolment is unable to progress.
- (2) Before forming an opinion that the academic progress of a student is unsatisfactory the head of the relevant academic unit must have received advice from the student's supervisors about the student's academic progress.
- (3) Before forming an opinion that the student's enrolment is unable to progress, the head of the relevant academic unit must have sought to identify suitable supervisors for the student's research project to meet the requirements for academic supervision or to secure the necessary facilities for the conduct of the student's research project.
- (4) The notice must advise the student of:
  - (a) the opinion and the reasons for it, including the areas identified as those where the student's performance is unsatisfactory or the factors indicating that the student's enrolment is unable to progress; and
  - (b) the date, time and place for a meeting with the academic progress review panel; and
  - (c) any assistance that is available to the student; and
  - (d) the review process, in a summary form, including their rights at any meeting of the academic progress review panel.
- (5) Where the student lodges a formal complaint relevant to their academic progress in accordance with a written university policy or procedures:
  - (a) after a notice is issued under this regulation, the review panel must proceed to determine the matter that is the subject of the notice; or
  - (b) before a notice is issued under this regulation, the review panel may proceed to determine the matter that is the subject of the notice.

## **52 Constitution of an academic progress review panel**

- (1) After a notice is issued under regulation 51, the postgraduate coordinator of the academic unit (or equivalent) must convene an academic progress review panel or, if they are not independent of the student's research, the dean of the teaching faculty may appoint another person to do so.
- (2) A review panel is constituted by:
  - (a) the convenor, who is to be its chair, who must be a member of staff of the University; and

- (b) two or more persons independent of the student's research, one of whom must be familiar with the student's area of research.
- (3) If at any time a member becomes unwilling or unable to fulfil their duties as a member, the chair may substitute that member with another person. Where the chair becomes unwilling or unable to fulfil their duties, the dean of the teaching faculty may substitute the chair with another person.

**Note**

See also regulation 59 for powers of the panel.

**53 Academic progress review panel procedure**

- (1) At the academic progress review panel meeting, the review panel must:
  - (a) After providing the student with the opportunity to respond to the matters detailed in the notice issued under regulation 51, determine whether the student's progress is satisfactory and able to progress; and
  - (b) If the student's progress is determined to be unsatisfactory, specify a further period and tasks for the student to complete to demonstrate satisfactory progress; and
  - (c) Where a further period is specified under subparagraph (1)(b), reconvene after the period ends to reconsider if progress is now satisfactory.
- (2) A decision of the panel must be supported by at least a majority of its members and, in the event the votes on the matter are equal, the chair has the casting vote.
- (3) The decision of the panel and the reasons for it must be notified in writing to the delegate of the Graduate Research Committee and the student within 5 working days of the decision being made.
- (4) The student is entitled to be present and make submissions orally or in writing or both at the meeting of the panel.
- (5) The student may be accompanied and assisted at the meeting of the panel by a person who is not legally qualified or by an officer of a recognised student association. The person may not present on behalf of the student.

**54 Termination of enrolment**

- (1) A student's enrolment may be terminated by the delegate of the Graduate Research Committee where:
  - (a) the milestone review panel has recommended termination because the student has not satisfactorily completed a milestone; or

- (b) the academic progress review panel has recommended termination because the student has unsatisfactory academic progress or the student's enrolment is unable to progress.
- (2) A student's enrolment may be terminated by the delegate of the Graduate Research Committee where, after providing the student with an opportunity to respond to the alleged non-compliance, the delegate determines that the student has failed to comply with any requirements of these regulations relating to their enrolment.
- (3) Where the delegate determines to terminate enrolment in a doctoral degree, the delegate may offer for the student to transfer enrolment to a master's degree by research as an alternative to termination of enrolment. This offer lapses 10 working days after the date the offer is made.
- (4) A decision to terminate enrolment takes effect the latter of:
  - (a) the day the period allowed for submitting a notice of appeal expires if one is not submitted by then; or
  - (b) if the student submits a notice of appeal within the period allowed and the appeal is dismissed, the day on which the appeal is finally determined.
- (5) A student whose enrolment is terminated under subregulation 54(1) is ineligible for admission to a higher degree by research.

## **55 Appeal of a decision to terminate enrolment**

- (1) A student may appeal against a decision to terminate their enrolment under regulation 54.
- (2) An appeal under regulation 55(1) is made by delivering to the chair of the Graduate Research Committee a written notice of appeal not later than 20 working days after notice of the decision to terminate enrolment is taken to have been given to the student.
- (3) A notice of appeal must state:
  - (a) the grounds on which the appeal is made being either:
    - (i) new evidence that was not reasonably available to the student at the time of the decision and which has the potential to alter the termination decision; or
    - (ii) a procedural irregularity with the potential to alter the termination decision; or
    - (iii) both; and
  - (b) whether the student wishes to be present at the hearing of the appeal or to make written submissions or both.

- (4) The chair of the Graduate Research Committee must begin deliberations on an appeal not later than 10 working days after receipt of notice of it.
- (5) Not later than 20 working days after receipt of a notice of appeal, the chair must:
  - (a) dismiss the appeal, if satisfied that it is frivolous, vexatious, misconceived or lacking in substance; or
  - (b) constitute a termination appeal panel to hear and determine it.
- (6) The chair must advise the student and the head of the academic unit, by notice in writing, of their decision under subregulation (4) and the reasons for it.
- (7) Where a student lodges a formal complaint relevant to their appeal in accordance with a written university policy or procedures:
  - (a) after delivering a notice of appeal, the chair or the panel must proceed to determine the appeal; or
  - (b) before delivering a notice of appeal, the chair or the panel may proceed to determine the appeal.

**56 Constitution of a termination appeal panel**

- (1) A termination appeal panel is constituted by:
  - (a) the chair of the Graduate Research Committee, or their nominee, who is to be its chair; and
  - (b) a member of the academic staff of the teaching faculty; and
  - (c) a member of the academic staff of a faculty other than the teaching faculty who is also a member of the Graduate Research Committee; and
  - (d) a higher degree by research student who is not a member of the Graduate Research Committee.
- (2) A termination appeal panel of an international campus or the Gippsland campus may include, in place of academic staff members, persons employed at that campus in academic positions.
- (3) The chair of the appeal panel may co-opt any other person to be a member of the panel.
- (4) The chair of the appeal panel must cause a written notice to be given to the student as soon as possible setting out the names of the panel members.



- (5) If at any time a panel member becomes unwilling or unable to fulfil their duties as a member, the chair of the appeal panel may substitute that member with another person. Where the chair becomes unwilling or unable to fulfil their duties as a member, the Graduate Research Committee may substitute the chair with another person.

**Note**

See also regulation 59 for powers of the panel.

**57 Objection to panel member**

- (1) The student may object to a termination appeal panel member on the ground of a reasonable apprehension of bias.
- (2) An objection must:
- (a) be in writing and provide full particulars of the allegation of reasonable apprehension of bias; and
  - (b) be delivered to the chair of the panel within 10 working days after receiving the notice under regulation 56(4); and
  - (c) cannot be made on the day of a hearing of the appeal.
- (3) The chair, on receiving an objection under subregulation (2)(b), may:
- (a) without making a finding, appoint a substitute panel member belonging to the same category of appointment and notify the student of their name; or
  - (b) require the dean of the faculty of law to appoint an adjudicator to consider and determine the objection.
- (4) An adjudicator must be a member of the teaching staff of the faculty of law who holds a position at the University that is not less senior than the panel member against whom the objection has been made.
- (5) When considering an objection, an adjudicator may:
- (a) make enquiries and inform themselves in any manner that they think fit; and
  - (b) determine their own procedure.
- (6) An adjudicator, in considering an objection, is bound by the rules of natural justice but not by the rules of evidence.
- (7) After considering an objection an adjudicator may:
- (a) dismiss the objection if satisfied that it is not substantiated; or

- (b) uphold the objection if satisfied that there is a reasonable apprehension of bias and direct the chair, or the Graduate Research Committee if the objection is in relation to the chair, to appoint a substitute panel member.
- (8) If an objection is not determined before the date specified in the notice given under regulation 58(2), the hearing must be delayed.

## **58 Termination appeal procedure**

- (1) The chair of the termination appeal panel, after taking the student's preference into consideration, must determine whether the hearing will be in person or based on written submissions or both.
- (2) The chair must provide the student and the head of the relevant academic unit with a notice in writing that:
  - (a) states whether the hearing will be in person or based on written submissions or both; and
  - (b) specifies the date, time and place for the hearing; and
  - (c) requests any submissions and supporting evidence and statements to be lodged with the termination appeal panel by not later than 10 working days before the hearing date.
- (3) If the hearing is in person, the following may attend:
  - (a) the student;
  - (b) the head of the relevant academic unit or a person nominated as their representative;
  - (c) a person who accompanies and assists, but does not represent, the student who is not legally qualified or is an officer of a recognised student association connected with the student's campus;
  - (d) any other person authorised by the chair of the termination appeal panel.
- (4) Before the hearing date, the termination appeal panel:
  - (a) must provide the student and the representative of the relevant academic unit with copies of all submissions received or a summary of them; and
  - (b) may give the student and the representative of the relevant academic unit, either orally or through a further written submission, a reasonable opportunity to respond to any submission.
- (5) After conducting a hearing, the termination appeal panel may determine that the appeal is:

- (a) upheld, and the student may continue their enrolment, subject to any conditions imposed by the termination appeal panel; or
  - (b) dismissed, and the termination of enrolment is confirmed.
- (6) The termination appeal panel may, before making a determination under subregulation (5), grant the student a further period of no more than 20 working days in which to meet any requirements set by the panel.
- (7) At the end of that period the termination appeal panel, or so many members of that panel are as available (not being fewer than 3 or, if the student member is not available, 2), must allow the student an opportunity to show how they have met the requirements before proceeding to make a determination under subregulation (5).
- (8) A determination of the termination appeal panel under subregulation (5) must be supported by at least a majority of its members and, in the event of the votes on the matter being equal, the chair has a casting vote.
- (9) Within 5 working days after making a determination under subregulation (5), the termination appeal panel must advise the student, the relevant academic unit and the Graduate Research Committee, by notice in writing, of the determination and the reasons for it.

## **59 Powers of panels**

- (1) A panel constituted under this Part may:
- (a) make enquiries and inform itself in any manner that it thinks fit; and
  - (b) determine its own procedure; and
  - (c) receive submissions, in any form, from the student, the relevant academic unit or any other person or body connected with the University; and
  - (d) adjourn making a determination to allow the student additional time to comply with a requirement, to obtain further information or for any other reason that the panel considers appropriate; and
  - (e) do any other thing necessary for, or in connection with, the carrying out of its functions.
- (2) A panel is bound by the rules of natural justice but not by the rules of evidence.
- (3) Nothing in this Part limits the powers of a panel under this section.

## **60 Giving of notices**

- (1) A notice required to be given to a student under this Part may be given personally to the student or sent by post or email to the address or email address of the student in the records of the University.
- (2) A notice is to be taken to have been given:
  - (a) for a notice given personally, on the date on which it is given;
  - (b) for a notice sent by email, on the date on which it is emailed;
  - (c) for a notice sent by pre-paid post within the country from where it was sent, 2 working days after the date on which it is posted;
  - (d) for a notice sent by pre-paid post outside the country from where it was sent, 5 working days after the date on which it is posted.

**61 Transitional provision**

A milestone review or termination of enrolment procedure begun before the commencement of these regulations is to be continued and completed under the relevant regulations as in force at the time the procedure was begun.

**Part 7 Higher Doctoral Degrees**

**62 Award of higher doctoral degrees**

- (1) A person may apply to the dean of the degree faculty for admission to a higher doctoral degree.
- (2) An application must be accompanied by a copy of work being submitted for examination.
- (3) On receipt of an application, the dean must appoint a higher doctoral degree committee to examine the work and determine whether or not the applicant is qualified for admission to the degree.
- (4) A higher doctoral degree committee consists of:
  - (a) the dean of the degree faculty or their nominee, who is to be the chair of the committee; and
  - (b) the head of the relevant academic unit or their nominee; and
  - (c) one additional member who, in the opinion of the dean, is appropriately qualified for appointment.
- (5) An applicant is qualified for admission to a higher doctoral degree if the higher doctoral degree committee, by a unanimous or majority decision, determines that the work submitted by the applicant is worthy of such admission.

- (6) The higher doctoral degree committee must give notice of a determination made by it to the applicant, the dean and the Graduate Research Committee.

**Note**

Under regulation 9(1)(k) of the Monash University (Council) Regulations, the Council may confer a higher doctoral degree on a person admitted to that degree.

## DICTIONARY

**Academic Board** means the Academic Board established by the Council under section 20 of the Act;

**academic staff** means members of staff holding teaching or research appointments or appointments involving both teaching and research, whether on a full-time, part-time or sessional basis;

**academic unit** means any of the following established by the Vice-Chancellor under regulation 7 of the Monash University (Vice-Chancellor) Regulations:

- (a) a sub-faculty, school, department, centre, institute or other unit into which a faculty is divided;
- (b) a school, department, centre or institute established as a separate entity from a faculty;

**Act** means the **Monash University Act 2009**;

**admission period** means the period during which applicants are selected to begin study at the University in a standard intake (for example, semester 1) in any given year;

**academic progress period** means either:

- (a) the period from the day after the results release date for semester two of a year up to and including the results release date for semester one in the next year; or
- (b) the period from the day after the results release date for semester one of a year up to and including the results release date for the semester two in the same year.

**associate dean** means the associate dean of the faculty who is responsible for coursework teaching programs or the person nominated by the dean as holding the closest equivalent position in the faculty;

**associate dean graduate research** means:

- (a) in relation to a faculty, the person holding the position of associate dean (graduate research) or the person nominated by the dean as holding the closest equivalent position in the faculty; or

- (b) in relation to an institute, the person nominated by the head of that institute to fulfil the responsibilities ordinarily performed by the associate dean (graduate research) in a faculty.

**ATAR** means the Australian Tertiary Admission Rank of a person as calculated by a tertiary admissions centre or other authorised body;

**Australian campus** means a campus located within Australia;

**award** means a degree, diploma, certificate or other award of the University;

**campus** means a location declared to be a campus of the University under section 20 of the Monash University Statute;

**centre** means a centre established under the Monash University (Vice-Chancellor) Regulations;

**Centre for Professional Development and Online Education** means the Monash Centre for Professional Development and Monash Online Education established by the Vice-Chancellor as a separate entity to any faculty pursuant to Regulation 7 (1) (b) of the Monash University (Vice-Chancellor) Regulations;

**Centre for Professional Development and Online Education Courses** means courses of study offered by the Monash Centre for Professional Development and Monash Online Education, namely graduate certificates, graduate diplomas and Masters by coursework which can only be established if they are outside of the normal purview and planning of faculties;

**collusion** means unauthorised collaboration with another person on assessable oral, written or practical work;

**course of study** means a number of units of study extending over a period of time leading to a degree or other award;

**credit points** means the number of credit points allocated to a unit of study, and required for completion of, a course of study;

**dean** means dean of a faculty or sub-faculty appointed by the Vice-Chancellor under the Monash University (Council) Regulations;

**degree** means a course of study leading to an undergraduate, honours, master's or doctoral degree of the University;

**degree faculty**, in relation to a degree or other award, means the faculty specified in a University handbook as being responsible for the degree or other award for the year for which the handbook is published;

**department** means a department established under the Monash University (Vice-Chancellor) Regulations;

**double degree** means a course of study specified in a University handbook as leading to 2 degrees;

**double degree student** means a student who is undertaking a double degree;

**English medium**, in relation to an educational institution, means the use of English as the language of instruction, communication and assessment for all aspects of study for the whole of the educational institution;

**faculty** means a faculty of the University established under the Monash University (Vice-Chancellor) Regulations and, in relation to a student, means:

- (a) the degree faculty; or
- (b) for a double degree student, the managing faculty; or
- (c) for a student enrolled in a unit of study or a non-award study, the teaching faculty;

**Gippsland campus** means the campus located at Northways Road, Churchill, Victoria and transferred to Federation University Australia (formerly called the University of Ballarat) on 1 January 2014;

**Graduate Research Committee** means the committee (however designated) established in accordance with Part 4 of the Monash University (Vice-Chancellor) Regulations;

**head**, in relation to an academic unit, means the person appointed to lead and manage the unit;

**higher degree by research** means a master's by research or doctoral degree of the University;

**institute** means an institute established under the Monash University (Vice-Chancellor) Regulations;

**international campus** means a location outside Australia declared to be a campus of the University under section 20 of the Monash University Statute;

**international student** means a student holding a student visa for the purpose of undertaking a course of study in Australia;

**library materials** means any information in the form of data, text, images or sound, including any document or electronic resources, that is in the possession of, managed, created or accessed by the university library for the use of students, members of staff and other persons for the purposes of study, research or teaching;

**managing faculty**, in relation to a student undertaking a double degree, means the faculty specified in a University handbook as being responsible for the administration of that double degree for the year for which the handbook is published;

**mature age applicant** means an applicant who will have attained the age of 21 as at 1 January of the year of proposed entry to the University and who does not meet the entrance requirements or admission requirements;

**maximum period of enrolment** means the period fixed by the University as the maximum time during which a course of study must be completed;

**misconduct** has the meaning given to it in Monash University (Council) Regulations (as amended);

**non-award qualification** means completion of a structured program of learning that does not lead to a qualification recognised by the University;

**non-award study** means a unit of study that is not undertaken as part of a course of study;

**Open Universities Australia** means Open Universities Australia Pty Ltd or any successor of that body;

**partner institution** means an educational institution with which the University offers one or more joint degrees or other awards;

**plagiarism** means taking and using another person's ideas or manner of expressing them and passing them off as one's own;

**relevant field** means a field regarded by the Academic Board as relevant to the degree or other award to which admission is sought;

**school** means a school established under the Monash University (Vice-Chancellor) Regulations;

**secondary schooling** means at least 4 years of the highest level of schooling before university leading to a university matriculation qualification;

**session lead** includes a supervisor and any other officer responsible for the administration of scheduled final assessments

**student** means a person who:

- (a) is admitted to a course of study at the University; or
- (b) is enrolled at the University in a non-award study or one or more units of study on an assessed or non-assessed basis and without admission to a course of study; or



- (c) is pursuing a course of study or unit of study at the University through an exchange or study program or other arrangement between the University and another educational institution; or
- (d) is engaged in a student mobility program involving the University, whether or not the program is credited towards a course of study or unit of study; or
- (e) has completed a course of study but on or to whom the relevant degree or award has not been conferred or awarded; or
- (f) is on an intermission or has been suspended from, or has deferred enrolment in, a course of study; or
- (g) is enrolled in a course of study or one or more units of study offered by the University through Open Universities Australia or another educational institution; or
- (h) has consented in writing to be bound as a student by the University statutes and University regulations;

**sub-faculty** means a sub-faculty of a faculty established under the Monash University (Vice-Chancellor) Regulations;

**tangible contribution** means evidence of outputs capable of academic assessment;

**teaching faculty**, in relation to a unit of study, means the faculty specified in a University handbook as being responsible for the teaching of that unit for the year for which the handbook is published;

**teaching period**, in relation to a unit of study, means the period occupied by the teaching of the unit;

**unit of study** means a component of a course of study that is taught and assessed as a discrete entity but does not include a thesis or alternative research component for a higher degree by research;

**University handbook** means a handbook published annually by the University specifying courses of study and units of study to or in which students may be admitted or enrolled during the year for which it is published;

**university librarian** means the staff member of the University responsible for the overall supervision and conduct of the university library;

**university library** means any physical or virtual space or system used for the purpose of:

- (a) holding, managing or providing access to library materials; or

- (b) providing any services or offering or presenting any activities or programmes under the auspices of the university librarian;

**VCE** means the Victorian Certificate of Education;

**VCE aggregate score** means the total of a student's scaled study scores for VCE English and the student's other 3 best VCE subjects, together with a 10% increment for the 5<sup>th</sup> subject and 6<sup>th</sup> subject, if any, or a university enhancement studies unit, used by the Victorian Tertiary Admissions Centre to calculate the student's ATAR;

**working day** means a day other than:

- (a) a day that is a university holiday under Part 8 of the Monash University (Vice-Chancellor) Regulations; or
- (b) in relation to an Australian campus, a Saturday or a Sunday or a day appointed as a public holiday in the whole of Victoria under the **Public Holidays Act 1993**; or
- (c) in relation to an international campus, a day that is a public holiday in the place where that campus is located;

**year** means calendar year.

*Monash University (Academic Board) Regulations*

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<b>Amendment</b>	<b>Sections Amended</b>	<b>Commencement Date (Promulgation)</b>
Monash University (Academic Board) Amendment No.1 Regulations	Regulations 4, 7, 11, 13, 30, 31, 32, 36 and Dictionary	25 August 2014
Monash University (Academic Board) (Amendment No. 3 of 2014) Regulations	Regulations 4 and 31	1 December 2014
Monash University (Academic Board) (Amendment No. 2 of 2014) Regulations	Regulations 42, 43, 48-58, and 61	1 January 2015
Monash University (Academic Board) Amendment No.1 of 2015 Regulations	Regulations 5, 7 and 9	1 July 2015
Monash University (Academic Board) Amendment No.2 of 2015 Regulations	Regulation 22	31 August 2015
Monash University (Academic Board) Amendment No.1 of 2016 Regulations	Regulations 14-16, 21-22, and 24	16 May 2016
Monash University (Academic Board) Amendment No.2 of 2016 Regulations	Regulation 5 and 37	14 October 2016
Monash University (Academic Board) Amendment No.3 of 2016 Regulations	Regulation 5, 10, 11, 14, 41, 42, 43, 44, 48, 50, 51, 53, 54, 55	10 January 2017
Monash University (Academic Board) Amendment No.1 of 2017 Regulations	Regulation 15(6)	4 October 2017
Monash University (Academic Board) Amendment No.1 of 2018 Regulations	Regulation 23 and 33(4)	25 May 2018
Monash University (Academic Board) Amendment No. 2 of 2018 Regulations	Regulation 9(6)	16 November 2018
Monash University (Academic Board) Amendment No. 1 of 2019 Regulations	Regulations 18(3) and 22	5 September 2019
Monash University (Academic Board) Amendment No. 2 of 2019 Regulations	Regulations 26, 28,29. 30, 31, 32, 32A, 34, 35, 36,, 37, 37A, 37B	7 February 2020

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Monash University (Academic Board) Amendment No. 1 of 2020 Regulations	Regulations 22(8)	24 February 2020
Monash University (Academic Board) Amendment No. 2 of 2020 Regulations	Regulations 5(2), 10A, 11(1), 14	10 June 2020
Monash University (Academic Board) Amendment No. 3 of 2020 Regulations	Regulations 19A	10 June 2020
Monash University (Academic Board) Amendment No. 4 of 2020 Regulations	Regulations 44, 55(3) and the Dictionary	1 October 2020
Monash University (Academic Board) Amendment No. 5 of 2020 Regulations	Regulations 18(3)(c) and 19A(1)–(4)	1 October 2020
Monash University (Academic Board) Amendment No. 6 of 2020 Regulations	Parts 3-7 and the Dictionary	2 August 2021
Monash University (Academic Board) Amendment No. 1 of 2021 Regulations	Regulations 19A and 23	30 July 2021
Monash University (Academic Board) Amendment No. 2 of 2021 Regulations	Regulation 31	30 July 2021
Monash University (Academic Board) Amendment No. 3 of 2021 Regulations	Regulations 19A and 21	30 July 2021
Monash University (Academic Board) Amendment No. 4 of 2021 Regulations	Regulations 5A, 13A, 26 and the Dictionary	18 November 2021
Monash University (Academic Board) Amendment No. 5 of 2021 Regulations	Regulations 21 and 22	1 January 2022
Monash University (Academic Board) Amendment No. 6 of 2021 Regulations	Regulations 5, 6, 7, 8, 9, 10, 10A, 11, 12, 13, 14, 15, and the Dictionary	31 January 2022
Monash University (Academic Board) Amendment No. 1 of 2022 Regulations	Regulations 18, 24, 30, 32, 32A,33, 34, 36, 41, 45, 54, 57, 58	21 April 2022
Monash University (Academic Board) Amendment No. 2 of 2022 Regulations	Regulation 19	21 April 2022

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Monash University (Academic Board) Amendment No. 3 of 2022 Regulations	Regulations 13(7), 13(8) and 14(4)	21 July 2022
Monash University (Academic Board) Amendment No. 4 of 2022 Regulations	Regulation 31	11 January 2023
Monash University (Academic Board) Amendment No. 5 of 2022 Regulations	Regulation 43	11 January 2023