



THE UNIVERSITY OF NOTRE DAME AUSTRALIA

GENERAL REGULATIONS

Purpose: These General Regulations apply to all students in the Programs and Courses offered at The University of Notre Dame Australia

Responsible Owner: Academic Registrar

Responsible Office: Student Administration

Contact Officer: Director, Student Administration

Effective Date: 11 August 2026

Replaced previous version approved 15 June 2026

Approved by Vice Chancellor: 11 August 2026



THE UNIVERSITY OF
NOTRE DAME
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1. INTRODUCTION

1.1 General Regulations

1.1.1 These General Regulations apply to all Students in Programs and Courses offered at The University of Notre Dame Australia (the University).

1.2 Interaction between Regulations

1.2.1 If there is a conflict between the General Regulations and any other regulation, in the absence of a specific provision to the contrary, the General Regulations prevail.

1.3 Interpretations and definitions

1.3.1 In the General Regulations, the following definitions apply:

Act	The University of Notre Dame Australia Act 1989.
Academic Penalty	A final Grade of withdrawal with fail imposed for any Course the Student is enrolled in where the Student withdraws in writing from that Course after the Academic Penalty Date but before the last teaching date of the Course.
Academic Penalty Date	The date published by the University on the University website as the last date a Student can apply to withdraw in writing from a Course without Academic Penalty. The Academic Penalty Date is generally calculated as the seven tenths point of the teaching period of the Course, although an earlier date may be set for some Courses.
Advanced Standing	Specified or unspecified credit toward a Program for previously completed formal studies or recognised prior learning.
Academic Status	A measure of the Student's academic achievement reviewed at the conclusion of each Study Period.
Audit Enrolment	Where a Student attends lectures, tutorials and other organised activities of the Course but does not submit assignments or sit the Course examination and does not receive a final grade.
AWOL	An administrative status used to reflect a Student who is has no Course enrolment and is not on an approved leave of absence. Absent without leave has a similar meaning.
Board of Examiners	Has the meaning stated in sections 56 and 57 of the <i>Statutes</i> .
Campus	Has the meaning stated in the University Statutes.
Census Date	Has the meaning stated in HESA. The University will publish the Census Date for all Courses on the University's website.
Certificate	An approved undergraduate award of the University typically requiring six months of full-time equivalent study.
Code of Conduct	The University Student Code of Conduct formally endorsed by the Board of Directors.
Compulsory Community Commitment	A mandatory commitment on a state, national or international level that is beyond a Student's control and includes (but not limited to) a sporting, cultural, military, emergency service and/or legal field that has been identified to the University at the time of enrolment in a Course and/or Program or as soon as practicable after the mandatory commitment arises.

Concurrent Enrolment	When a Student enrolls in two separate degree Programs at the University which are not offered as a Double Degree.
Core Curriculum	Has the meaning stated in the <i>Statutes</i> .
Co-requisite Course	A Course which must be studied concurrently with the Course for which it is prescribed.
Course	A Course of study that is discrete in its objectives, content, methods and assessment.
Course Coordinator	The person designated by the National Head of School to be the lecturer in charge of a Course and who shall be responsible to the National Head of School for the overall coordination of teaching and assessment in the Course.
Cross-Institutional Enrolment	A Course undertaken and completed by a Student at another approved institution during the time that the Student is enrolled in a Program and for which the University grants credit towards a Program.
CSP	Commonwealth Supported Place.
Deferred Examination	Has the meaning stated in the <i>Procedure: Assessment and Examinations</i> .
Degree	An academic award conferred by the University upon a Student who completes a prescribed undergraduate or postgraduate Program.
Diploma	An approved award of the University typically requiring one year of full-time equivalent study.
Directed Individual Study Course	A Course formally approved by a School that is specially designed to meet the needs and interests of an individual Student.
Dissertation	A written work that comprises at least one semester of full-time equivalent study.
Double Degree	A study Program from two disciplines that allows accelerated completion and conferral of two Degrees as separate awards (with two testamurs).
EFTSL	Equivalent Full-Time Student Load as defined in HESA.
Elective	A Course that is not a compulsory Course of a Program but which the program requirements document allows students to choose to enrol in.
ELICOS Program	Component courses offered in accordance with the English Language Intensive Courses for Overseas Students (ELICOS) National Standards.
Enrolment Overload	When a Student enrolls in more than the standard number of Units of Credit in a particular semester or year of a Program.

Exceptional Circumstances	Circumstances as outlined in a relevant Policy, Procedure or Guideline, which are beyond the student's control and are of a serious nature (including but not limited to): (a) Medical grounds, such as: illness, disability, impairment or incapacitation; (b) Misadventure, such as: a serious and unexpected event, such as an accident which is entirely beyond the student's control; (c) Compassionate grounds, such as: death or serious injury of an immediate family member or close friend; (d) Trauma, such as: financial adversity, family breakdown, unexpected loss of employment, serious disturbance in domestic arrangements, crime or accident, or natural disaster; (e) Compulsory community commitments, such as: religious commitments, state, national or international service in terms of sporting, military, emergency service and/or legal service (jury duty or court/tribunal/hearing commitments).
Executive Dean	Unless otherwise specified, means a reference to the Executive Dean of the Faculty that offers the Program in which the Student is enrolled or seeks enrolment.
File Closed	An administrative status indicating that a Student's enrolment record at the University has been closed due to the Student's non-enrolment.
Final Enrolment Date	The final date by which all Students must enrol in Courses as published by the University.
Final Examination	Has the meaning stated in the <i>Procedure: Assessment and Examinations</i> .
GPA	The grade point average of a student's academic grades for courses they have completed as part of their enrolment in a program calculated by the method stated in clause 23.2 of the <i>Procedure: Assessment and Examinations</i> .
Grade	The summative assessment of performance represented as a unit of measurement in the form of a letter grade.
Graduand	A Student who has satisfied the requirements for an academic award prior to the conferral of that award.
Graduate Certificate	An approved postgraduate award of the University typically requiring six months of full-time equivalent study.
Graduate Diploma	An approved postgraduate award of the University typically requiring one year of full-time equivalent study.
Graduate	A person who has received an academic Award or Degree on completion of their university studies.
Hall of Residence	Any accommodation provided to Residential Students directly by the University, whether that accommodation is located on a Campus or not.

National Head of School	Unless otherwise specified, means a reference to the National Head of School of the School that offers the Program in which the Student (the subject of the Regulation) is enrolled or seeks enrolment.
HESA	The Higher Education Support Act (2003) Cth.
Home Campus	The Campus where a Student enrolls in a Program.
Honours	An Undergraduate Degree requiring a higher academic standard than a pass and that normally requires a year of study in addition to a three-year Bachelor Degree in a discipline or an honours stream that is studied concurrently in the final years of a four year (or more) Bachelor Degree in a discipline.
Host Campus	A Campus that is not a Student's Home Campus where the Student undertakes some Courses.
Irregularly Scheduled Examination	Has the meaning stated in the <i>Procedure: Assessment and Examinations</i> .
Late Fee	A charge levied by the Academic Registrar and published on the website.
Major	An approved sequence within an undergraduate Program of at least eight Courses of 25 Units of Credit (or equivalent) that develops a particular academic theme.
Mark	The summative assessment of performance represented numerically.
Minor	An approved sequence within an undergraduate Program of at least six Courses of 25 Units of Credit (or equivalent) that develops a particular academic theme.
Not-For-Degree	Enrolment in a Course for which a Student completes all assessment requirements without obtaining credit toward a Program.
Pathway Program	A Program offered by the University for preparation for tertiary study.
Placement	A practicum, internship, or any other professional work experience to be undertaken by a Student as part of an approved Program.
Placement Provider	Any third party that is not the University where a Student undertakes a Placement.
Postgraduate Award	A Graduate Diploma or Graduate Certificate that a Student undertakes after having obtained an Undergraduate Degree.
Postgraduate Degree	A master or doctoral degree that a Student undertakes after having obtained an Undergraduate Degree.
Postgraduate Student	A Student enrolled in a Postgraduate Award or Degree.
Pre-requisite Course	A Course or other requirement(s) that must be successfully completed prior to taking a certain Course.
Program	A program of study approved by the University the completion of which leads to the awarding of a Degree, Diploma or Certificate, at undergraduate or postgraduate level.

Program Coordinator	The person in charge of a Program and responsible for its coordination.
Research Committee	Has the same meaning as given in the University Statutes.
RPL	Recognition of prior learning granted by the University as credit toward a Course, on the basis of learning acquired: (a) by way of a professional body, enterprise, private educational institution or by any other provider recognised by the University; and/or (b) through work or life experience.
Research Degree	A Master by Research, a Master of Philosophy, a professional Doctorate in any discipline, and the Doctor of Philosophy.
Research Project	Written work that represents less than half of the academic requirements for a Degree and the research underpinning the project comprises less than one semester of full-time equivalent study.
Residential Student	A Student who resides in a Hall of Residence.
Satisfactory Progress	Has the same meaning as Satisfactory Academic Progress in the <i>Procedure: Academic Progress</i> .
School	Has the same meaning as given in the University Statutes.
Specialisation	An approved sequence within an Undergraduate Program or Postgraduate Program of at least four Courses of 25 Units of Credit (or equivalent) that develops a particular academic theme.
Student	A person enrolled in a Program or Course at The University of Notre Dame Australia.
Student File	The file retained by Student Administration, which is the central official University repository for all relevant documents and correspondence relating to a Student's admission, enrolment, examinations, academic progress, appeals, disciplinary action, etc.
Study Abroad	Any University approved and/or organised arrangement that: (a) enables a Student to complete part of their study in another country; (b) enables a Student from an overseas university to complete part of their study in this country.
Study Period	A division of the calendar year used in academic scheduling. The academic year is divided into two Study Periods: Study Period 1: summer term and semester 1 Study Period 2: winter term and semester 2
Supplementary Assessment	Has the meaning stated in the <i>Procedure: Assessment and Learning Flexibility</i> .
TPP	Tertiary Pathway Program.

Thesis	A substantial written work that represents at least two thirds of a Degree, with the research underpinning the Thesis comprising at least one year of full-time equivalent study; or An Honours paper submitted in part requirement for an Honours Degree.
Undergraduate Degree	An accredited post-secondary higher education Program leading to one of the following qualifications: Undergraduate Certificate, Diploma, Associate Diploma, Advanced Diploma, Bachelor Degree, or Bachelor Degree Honours.
Undergraduate Student	A Student enrolled in an Undergraduate Degree.
Units of Credit	The number of points allocated to a particular Course or Program. Units of Credit for particular Courses are added together towards a total score for the Program for which a qualification is awarded.
University Statutes	The Statutes of the University made under the authority of Section 20 of the Act.
Unsatisfactory Progress	Where a Student fails more than 50% of the enrolled Units of Credit load in a Study Period.
VET (Vocational Educational Training)	The program of post-compulsory vocational education and training, excluding Degree and higher level Programs, delivered by tertiary institutions.
Volume of Learning	Volume of Learning has the same meaning as in the <i>Procedure: Program and Course Design</i> .
Weighted Average Mark	A numerical calculation of the percentage average, weighted by Units of Credit, of all marks achieved by a student over a defined study period, or over an entire Program. It is calculated by the method stated in clause 23.4 of the <i>Procedure: Assessment and Examinations</i> .
Working Day	A day in which the University is open for business but does not include public holidays or weekends.

1.4 **Applicability to VET students**

- 1.4.1 These Regulations apply to Students enrolled in VET Programs at the University to the extent that they are relevant. When applied to VET Students, any reference to “the National Head of School” shall be a reference to “the CEO and Director, Vocational Education and Training.

1.5 **Amendments to General Regulations**

- 1.5.1 When the Vice-Chancellor approves amendments to the General Regulations, the amendments automatically apply to all Students.

1.6 **Delegation of power under these Regulations**

- 1.6.1 Powers granted in these Regulations, including but not limited to those expressly mentioned below, may be delegated with the authority of the Vice-Chancellor and pursuant to the University’s Standing Delegations of Authority:
- (a) Vice Chancellor
 - (b) Deputy Vice Chancellor, Academic
 - (c) Deputy Vice Chancellor, Research, Partnerships and International
 - (d) Pro Vice Chancellor, Education

- (e) Pro Vice Chancellor, Research
- (f) Academic Registrar
- (g) National Director Student Administration
- (h) Executive Dean
- (i) National Head of School
- (j) Program Coordinator
- (k) Course Coordinator

- 1.6.2 Where these Regulations refer to a member of the University staff by a title:
- (a) the definition of the role may be found in the University Statutes; or
 - (b) the definition means the staff member appointed to that title by the Vice Chancellor; or
 - (c) the definition means the staff member appointed to undertake duties as required by that title by the Vice Chancellor.

2. ADMISSIONS AND ENROLMENT

2.1 General

- 2.1.1 The requirements for admission, deferment or re-admission to a Program or Course offered by the University are detailed in the *Policy: Admission and Credit* and the supporting *Procedure: Admission*.

2.2 Not-for-degree enrolment

- 2.2.1 Not-For-Degree Students are liable for all fees and charges of the University in respect to their enrolment and cannot be deferred to a HELP loan.
- 2.2.2 Where a Not-For-Degree Student subsequently applies for and the University approves enrolment in an award Program at the University, all compulsory Courses in the award Program that have been studied on a Not-For-Degree basis at the University will be subject to credit transfer.

2.3 Cancellation and/or deferment of offer and/or enrolment

- 2.3.1 The requirements for cancellation and/or deferment of an offer and/or enrolment are detailed in the *Procedure: Admission*.

2.4 Enrolment

- 2.4.1 A domestic Student must:
- (a) submit an acceptance to the University's offer of a place in a Program; and
 - (b) complete an enrolment; and
 - (c) comply with any specific conditions of enrolment specified in program requirements and their letter of offer; and
 - (d) pay or complete and submit to the Fees Office a FEE-HELP or HECS-HELP application form, or make appropriate arrangements with the Fees Office to pay, all applicable fees and charges prior to the published Census Date, including any fees and charges that may be outstanding.
- 2.4.2 An International Student must:
- (a) submit an acceptance to the University's offer of a place in a Program; and
 - (b) comply with any specific conditions of enrolment specified in program requirements and any written agreement; and
 - (c) be issued with a Confirmation of Enrolment if required; and
 - (d) complete an enrolment; and
 - (e) pay or make appropriate arrangements with the Fees Office to pay all applicable fees and charges prior to the commencement of the semester, including any fees and charges that may be outstanding.

- 2.4.3 Where a Student is enrolled in an Undergraduate Degree that contains a research project, a Degree with Honours, a Postgraduate Coursework Degree, a Postgraduate Coursework and Dissertation Degree or a Degree by Thesis, the Student must be officially enrolled in the appropriate coursework, supervised Dissertation or supervised research Courses up to and including the semester in which the Research Project, Dissertation or Thesis is submitted for examination.
- 2.4.4 Where a Research Project, Dissertation or Thesis is submitted for examination but subsequently requires further work, the Student must re-enrol.
- 2.5 Conditions of enrolment**
- 2.5.1 By enrolling in the University, a Student is deemed to agree to abide by the:
- (a) Statutes of the University;
 - (b) Rules, Regulations and By-laws of the University;
 - (c) Codes of Conduct of the University; and
 - (d) Policies and procedures of the University, in force and as may be amended from time to time.
- 2.5.2 It is a condition of enrolment at the University that a Student undertakes to keep the University informed of any changes to his/her personal details and to provide notification as soon as possible of a change of details to Student Administration.
- 2.5.3 All documents submitted in support of an application for admission, Course enrolment, changes of enrolment or Student details, in application for Advanced Standing and other Student administrative matters remain the property of the University.
- 2.5.4 The Executive Dean may prescribe Course(s) and/or conditions a Student must enrol into or adhere to in a given semester.
- 2.5.5 The Executive Dean may refuse a Student's Course enrolment on such grounds, including, but not limited to:
- (a) failure in a Pre-requisite Course;
 - (b) failure to comply with a condition set by the Executive Dean or National Director Student Administration;
 - (c) a Deferred Examination or a Supplementary Assessment have not been completed; and/or
 - (d) any other grounds the Executive Dean deems appropriate in consultation with the Academic Registrar.
- 2.5.6 The National Director Student Administration may refuse Course enrolment where a Student has outstanding fees.
- 2.5.7 If a Student has a number of approved Deferred Examinations and/or Supplementary Assessments greater than a full-time semester load, the Student must obtain the approval of the Executive Dean and the National Director Student Administration before the Student can re-enrol for the next semester. The Executive Dean may impose conditions on the Student's re-enrolment, including, but not limited to, a part-time enrolment load for the next semester.
- 2.5.8 A Student who is dissatisfied with a decision with respect to an enrolment refusal made by the Executive Dean or by the National Director Student Administration (under Regulations 2.5.5 or 2.5.6) may lodge a written appeal against the decision in accordance with the *Policy: Student Appeals*.
- 2.6 Enrolment deadlines**
- 2.6.1 Students are required to enrol in Courses of their Program by the Final Enrolment Date.
- 2.6.2 The National Director Student Administration, or delegate, in consultation with the School may allow a Student to enrol late into a Course(s) (after the Final Enrolment Date) in a semester and/or Term.

- 2.7 Enrolment load**
- 2.7.1 Enrolment load is measured in EFTSL. A full-time Student will normally be enrolled in 1 EFTSL. An EFTSL of less than 0.75 is defined as a part-time study load.
- 2.7.2 International Students must have a full-time load as defined by the appropriate external authorities.
- 2.7.3 A Student enrolled in a Course in summer term or winter term will have the EFTSL value of that Course contribute to the total enrolment load for the semester that immediately follows the term. That is, a Student's summer term enrolment load will be combined with their Semester 1 enrolment load; a Student's winter term enrolment load will be combined with their semester 2 enrolment load.
- 2.8 Enrolment in course(s) in addition to the minimum Program requirements**
- 2.8.1 Students may enrol in Courses that are additional to the minimum requirements of their Program with the approval of the Executive Dean
- 2.8.2 Students' grades for additional Courses will contribute towards their GPA. Where a Student has already successfully completed a Course, each enrolment in that Course will be shown on the Program transcript and all grades will contribute towards a GPA. Students cannot select or remove Courses or Grades from their Program transcript or GPA.
- 2.8.3 Standard fees will apply to all Courses of study that are additional to the minimum Program requirements.
- 2.8.4 International Students can only apply for additional Courses if they can be completed within the normal Program duration period and without extending their approved length of stay as per student visa requirements of the Australian Government.
- 2.9 Enrolment overload**
- 2.9.1 The University only permits Enrolment Overload in the first year of a Program in exceptional circumstances and with the approval of the National Head of School.
- 2.9.2 A Student requesting an Enrolment Overload in the second or later years of a Program must obtain approval from the National Head of School. Such approval shall generally be dependent upon the Student having obtained a credit average in the semester preceding the request.
- 2.9.3 A Student must pay any fees and charges associated with the additional load.
- 2.10 Cross-campus Course enrolment**
- 2.10.1 A Student may be permitted to enrol in Courses of their Program at a Host Campus provided that:
- (a) the Student's enrolment in the Course is permitted under the specific program requirements; and
 - (b) the enrolment of the Student in the Course on the Host Campus does not exceed any number limitations placed on that Course.
- 2.10.2 A Student must submit the application for cross-campus Course enrolment at least 10 Working Days before the start of the term or semester in which they wish to enrol, unless extension of time is approved by the National Director Student Administration.
- 2.10.3 Cross-campus Course enrolment is normally limited to a maximum period of one year (two semesters).
- 2.10.4 If a Student elects to take the majority of their Course Units of Credit at the Host Campus for a further (third) semester, the Student shall normally be required to apply for transfer to that Campus.
- 2.11 Campus transfer**
- 2.11.1 A Student may apply for a transfer to another Campus for all or part of their Program at the

end of a semester. A Student must normally submit the application for a transfer to another Campus at least one semester before the proposed transfer is to occur.

- 2.11.2 Where the Student holds a scholarship of any type and the Student seeks to transfer to another Campus, the Student may be required to relinquish the scholarship depending on the eligibility criteria of the scholarship. A Student who holds an academic scholarship may apply in writing to the National Manager, Enrolment, Fees and Student Administration for the transfer of that Academic Scholarship.

2.12 Transfer to another Program

- 2.12.1 The requirements for transferring to another Program are detailed in the *Procedure: Admission* and the *Procedure: Credit*.

2.13 Change of enrolment – adding and/or withdrawing from a course

- 2.13.1 A Student who applies to add a Course to their enrolment for a given teaching period must do so by the Final Enrolment Date. Attendance at classes, submission of items for assessment and/or attendance at the Final Examination does not constitute enrolment in that Course.
- 2.13.2 A Student who applies to withdraw from a Course in their enrolment for a given teaching period must do so by the published Census Date and Academic Penalty date to avoid financial and academic penalties. Absence from classes or failure to submit items for assessment and/or non-attendance at the Final Examination does not constitute withdrawal from that Course.
- 2.13.3 A Student who does not withdraw from a Course following the appropriate procedures remains enrolled in the Course and is liable for any prescribed fees and the applicable final grade.
- 2.13.4 An international Student who withdraws from all Courses in the current semester (effectively having no Course enrolment), and who does not have the approval from the National Director Student Administration take a leave of absence, will be reported to the appropriate authorities.
- 2.13.5 Withdrawals from a Course will only be accepted up until the last teaching day of the Course. A financial and/or academic penalty may apply.

2.14 Withdrawal from a course – financial penalty

- 2.14.1 When a Student withdraws from a Course following the appropriate procedure by the Census Date:
- (a) the Student will not incur a tuition charge;
 - (b) the University will re-credit any fees paid and remission of any FEE-HELP or HECS-HELP liability attached to that Course in that semester; and
 - (c) the University will record the withdrawal on the Student's record for administrative purposes as "Withdrawn" (W) but the withdrawal will not appear on the Student's academic transcript.
- 2.14.2 When a Student withdraws from a Course after the Census Date, the Student is liable for the full tuition charge in respect of that Course.

2.15 Withdrawal from a course – Academic Penalty

- 2.15.1 At any time on or before the published Academic Penalty date, a Student may withdraw from that Course without incurring a fail grade for the Course.
- 2.15.2 Where a Student withdraws from a Course on or before the Academic Penalty date of the Course that withdrawal shall be recorded on the Student's University record for administrative purposes as "Withdrawn" (W) but shall not appear on the Student's academic transcript.
- 2.15.3 A Student who withdraws from a Course after the Academic Penalty date, but before the last

teaching day of the Course, shall receive a withdrawal with fail (WF) grade for the Course.

2.16 Retroactive withdrawal and/or re-crediting and remission

- 2.16.1 A Student may apply by submitting an application for a retroactive withdrawal from a Course, within 12 months from the end of the teaching period they were enrolled in the Course or their withdrawal from the Course, whichever comes first.
- 2.16.2 Applications for retroactive withdrawal shall only be considered (with due regard to the requirements of HESA) where the Student has submitted original independent supporting documentation as evidence of the Exceptional Circumstances that prevented the Student from withdrawing before the Census Date and/or Academic Penalty date and completing the Course.
- 2.16.3 A Student may request waiver of:
- (a) Financial penalty only;
 - (b) Academic Penalty only; or
 - (c) both the financial and academic penalty for the Course(s) from which they are seeking retroactive withdrawal.
- 2.16.4 Applications for retroactive withdrawal shall be considered by the National Director Student Administration or delegate, after consultation with the Executive Dean or delegate, of the relevant Faculty (and the National Head of School of the School responsible for the Course) and in accordance with the University's *Policy: Retroactive Withdrawal* (also known as Re-crediting and Remission).
- 2.16.5 A Student may appeal the decision in accordance with the *Policy: Student Appeals*.

2.17 Repeated withdrawal

- 2.17.1 Where a Student:
- (a) withdraws from more than half of the Courses in which he/she is enrolled in at least two consecutive semesters over a two year period; and
 - (b) the National Head of School informs the National Manager, Enrolment, Fees and Student Administration in writing that the National Head of School is of the view that the Student is not presently capable of undertaking the Program;
- the Student may be terminated from the Program and from the University.
- 2.17.2 Where a Student has been terminated under clause 5.8 of the *Procedure: Academic Progress*, the Student may apply for readmission in writing to the National Manager, Enrolment, Fees and Student Administration or the National Director Admissions (if changing Program) in accordance with clause 20.1.3 of the *Procedure: Admission*.

2.18 Withdrawal from University/Program

- 2.18.1 A Student may apply to withdraw from the University by submitting a request.
- 2.18.2 Where a Student applies to withdraw from the University, the withdrawal date will be the date on which the form was submitted or deemed to be received.
- 2.18.3 When a Student withdraws from the University, the Student is not entitled to a copy of any official University result or document and/or service of the University until the Student fulfils their financial obligations in full.
- 2.18.4 Student Administration may refuse a Student's request to withdraw from a Program until the Student fulfils all their financial obligations to the University in full.
- 2.18.5 Where a Student applies to withdraw from a Program, the Student must also apply to withdraw from any current or future Course enrolments in which they are enrolled for that Program.
- 2.18.6 When a Student withdraws from a Program, the Student is not entitled to a copy of any official University result or document and/or service of the University until the Student fulfils their financial obligations in full.

2.19 Credit and RPL

2.19.1 The University's requirements for students to apply for and be granted academic credit are detailed in the *Policy: Admission and Credit* and the supporting *Procedure: Credit*.

2.20 Cross-institutional enrolment

2.20.1 Except in the case of Study Abroad students, a Student must apply for Cross-Institutional Enrolment prior to the Census Date of each semester and before enrolling in a Course at another institution.

2.20.2 Approval for Cross-Institutional Enrolment is at the discretion of the National Manager, Enrolment, Fees and Student Administration.

2.20.3 The University will only grant Cross-Institutional Enrolment where:

- (a) no more than half of the Courses within the Student's Program will be studied Cross Institutionally.
- (b) the combined total of approved Advanced Standing and/or Cross-Institutional Enrolments does not exceed 50% of the Units of Credit required for the Program.
- (c) the Course in question, or one that is substantially equivalent, is not offered by the University, unless the National Manager, Enrolment, Fees and Student Administration is provided with a written recommendation of the National Head of School, or where the Student is participating in a formal University agreement or Study Abroad arrangement, the National Director, International Office.
- (d) the Course in question is not offered as an Elective by the University, unless the Student is participating in a formal University agreement or Study Abroad arrangement.

2.20.4 A Student for whom Cross-Institutional Enrolment is approved shall:

- (a) have sole responsibility for all marking arrangements with the institution hosting the Course;
- (b) confirm successful completion of the Course by submitting to the National Manager, Enrolment, Fees and Student Administration a certified transcript or equivalent official notification issued by the institution concerned within six months of the semester period in which the Course was undertaken. Failure to do so may result in:
 - (i) the National Manager, Enrolment, Fees and Student Administration converting the Course to a Fail (F) grade; and/or
 - (ii) the Student being ineligible to participate in their graduation ceremony;
- (c) where a Cross-Institutional Course examination at a host institution clashes with a home institution Course examination, apply for a Deferred Examination in the home institution Course.
- (d) bear all responsibility for any fees or other charges that may be payable at the other institution; and
- (e) pay all fees charged by the University for the application and study of Cross- Institutional Courses.

2.20.5 The University will:

- (a) (unless the Cross-Institutional Enrolment is undertaken pursuant to one of the University's formal agreements or Study Abroad arrangements) record specified or unspecified credit upon successful completion of the course studied cross-institutionally.
- (b) In its discretion, determine the number of Units of Credit granted in any particular instance. The number of Units of Credit granted may not correspond exactly to the Units of Credit allocated to the Course by another institution;
- (c) Have discretion and be entitled to charge a fee for Cross-Institutional application and enrolment.

2.20.6 A Course undertaken by Cross-Institutional enrolment will be used in the consideration of a

Student's Academic Status.

- 2.20.7 A Student may appeal the decision of the University in Regulation 2.20.2 or the decision of the National Manager, Enrolment, Fees and Student Administration in Regulation 2.20.4 in accordance with the *Policy: Student Appeals*.

2.21 Minimum requirements for a university award

- 2.21.1 Notwithstanding any other provision in these Regulations, to be eligible for an award of the University, a Student must complete at least 50% of the Units of Credit required for the coursework component of a Program at the University, unless exemption is given by the Deputy Vice Chancellor Academic.

3. PROGRAMS AND COURSES

3.1 Core Curriculum requirements in higher education Programs

- 3.1.1 The *Procedure: Program and Course Design* states Core Curriculum requirements for higher education Programs. A Student who transfers to another Campus for one or more semesters may, as provided for in program requirements and with the approval of their National Head of School, substitute the remaining Core Curriculum Courses offered on the Host Campus for those specified at their Home Campus.
- 3.1.2 Where a Student can demonstrate the completion of formal studies in the area of one or more of the Core Curriculum Courses, the National Head of School where the student is enrolled may recommend to the National Manager, Enrolment, Fees and Student Administration that the Student be granted exemption with or without credit in the Course. The Student's application will be considered in accordance with the *Procedure: Credit*.

3.2 Double degrees

- 3.2.1 The *Procedure: Program and Course Design* states requirements for design of Double Degree Programs.
- 3.2.2 A Student cannot undertake a Double Degree if they have already completed one of the Degree components at the University or at another recognised tertiary institution.
- 3.2.3 A Student who is enrolled in a single Degree may apply to enter a Double Degree provided that:
- (a) the Student has the prior approval of the Heads of School of both Schools; and
 - (b) the Student commences the Double Degree no later than the end of the third semester of full-time study (or as otherwise provided for in the program requirements document) unless the Student has written approval from the Heads of School to commence at a later date.
- 3.2.4 A Student enrolled in a Double Degree may apply to change enrolment to a single Degree in which case:
- (a) the National Head of School of the School of the single Degree shall determine the amount of credit to be transferred; and
 - (b) if after transferring to a single Degree, the Student wishes to re-enrol in the Double Degree they must apply in writing to the National Director Student Administration.
- 3.2.5 A Student in a Double Degree shall be eligible on an equal basis for scholarships, prizes and awards for excellence as may be available from either or both of the Schools that manage the relevant single degrees.

3.3 Concurrent enrolment

- 3.3.1 Concurrent Enrolment in two Programs at the University is not permitted where the two Programs are offered by the University as an official Double Degree.
- 3.3.2 Where two Programs of the University are not offered as an official Double Degree, a Student may be permitted to undertake a Concurrent Enrolment on the proviso that the Executive

Dean on the recommendation of the National Head of School for each Program approves the Concurrent Enrolment. There may be cross-credit of appropriate Courses between the two Programs to a maximum of 50% of the second Program.

3.4 **Majors, minors and specialisations**

3.4.1 The *Procedure: Program and Course Design* states requirements for design of majors, minors and specialisations within Programs.

3.4.2 Single Major

- (a) Courses approved as Advanced Standing or Cross-Institutional Enrolment cannot normally be used for the completion of a single Major, unless the Courses are approved by the Executive Dean
- (b) At least 50% of the Units of Credit required for a single Major must be The University of Notre Dame Australia Courses in order for a single Major to be formally indicated on a Student's academic transcript.
- (c) Where more than 50% of the Units of Credit of a single Major are undertaken by
- (d) Cross-Institutional Enrolment or Advanced Standing, that single major will be indicated as a 'transcript note' on a Student's academic transcript. This does not apply to Courses completed through approved Study Abroad.

3.4.3 Minor

- (a) Courses approved as Advanced Standing or Cross-Institutional Enrolment cannot normally be used for the completion of a Minor, unless the Courses are approved by the Executive Dean.
- (b) At least 50% of the Units of Credit required for a Minor must be from Courses completed at the University in order for the Minor to be formally indicated on a Student's academic transcript.
- (c) Where more than 50% of the Units of Credit of a Minor are undertaken by Cross-Institutional Enrolment or Advanced Standing, that Minor will be indicated as a 'transcript note' on a Student's academic transcript. This does not apply to Courses completed through approved Study Abroad

3.4.4 Specialisation

- (a) Courses approved as Advanced Standing or Cross-Institutional Enrolment cannot normally be used for the completion of a Specialisation, unless the Courses are recommended by the Executive Dean.
- (b) At least 50% of the Units of Credit required for the Specialisation must be The University of Notre Dame Australia Courses, in order for the Specialisation to be formally indicated on a Student's academic transcript.
- (c) Where more than 50% of the Units of Credit of a Specialisation are undertaken by Cross-Institutional Enrolment or Advanced Standing, that Specialisation will be indicated as a 'transcript note' on a Student's academic transcript. This does not apply to Courses completed through approved Study Abroad.

3.5 **Bachelor Honours degree**

3.5.1 Admission to an Honours program and conditions of enrolment shall be consistent with the *University Policy: Admissions and Credit* and the *Procedure: Admissions*.

3.5.2 Admission of a current student to a stand-alone Honours Degree is determined by the National Head of School that administers the Honours Program. Where a Student is enrolled in a Double Degree, the National Head of School will consult with the National Head of School of the other School and seek approval for Concurrent Enrolment in the Double Degree and the stand-alone Honours degree.

3.6 **Master degrees**

- 3.6.1 The *Procedure: Program and Course Design* states the requirements for design of masters by coursework programs.

3.7 **Graduate diplomas and graduate certificates**

- 3.7.1 The *Procedure: Program and Course Design* states the requirements for design of graduate diploma and graduate certificate Programs.

4. **FEES**

4.1 **Tuition fees**

- 4.1.1 A Student is liable to pay the tuition fees specified in the University's scale of tuition fees as amended from time to time and as published on the University website.
- 4.1.2 A Student must pay the tuition fees or submit a completed FEE-HELP or HECS-HELP form before the commencement of each semester and before the commencement of summer and winter terms on a date specified by the University.
- 4.1.3 In certain circumstances, the National Director Student Administration may consider an alternative payment arrangement between a Student and the University. If an alternative payment arrangement is approved by the Student Administration, the agreement shall be made in writing between the Student and the University.
- 4.1.4 The enrolment of a Student may be terminated by the National Director Student Administration if:
- (a) the Student does not pay tuition fees by the final date for payment; or
 - (b) the Student and the Student Administration fail to agree on an alternative payment arrangement in writing by the final date for payment of fees; or
 - (c) the conditions outlined in an alternative payment arrangement are not upheld by the Student.
- 4.1.5 The University may charge a Late Fee where a Student has not paid tuition fees or entered into a written payment arrangement by the final date for payment of fees.
- 4.1.6 Where a Student's enrolment at the University has been terminated for non-payment of fees, the Student may appeal the termination in accordance with the *Policy: Student Appeals*.
- 4.1.7 Where the enrolment of a Student has been terminated, cancelled or similar (for any reason), the Student is liable to pay such charge or penalty as may be specified under any by-law of the University.
- 4.1.8 Where an International Student accepts an offer of a place at the University the Student must remit to the University:
- (a) the tuition fee for the first year; and
 - (b) the International Student Health Cover payment for the duration of the Program; and
 - (c) any other fees associated with enrolment and/or orientation.
- 4.1.9 Where an International Student provides evidence that they were granted Australian citizenship, Australian permanent residency, New Zealand citizenship, hold a Pacific engagement visa or permanent humanitarian visa (current and eligible former) entitling them to be resident in Australia for the duration of the Semester on or prior to the earliest possible Census date for their current Semester enrolment, that International Student may be:
- (a) reclassified as a domestic student and charged the relevant tuition fees, as specified in the University's scale of tuition fees mentioned in 4.1.1 above; and
 - (b) entitled to a tuition refund as outlined in the *Policy: Refunds for International Students* as approved, from time to time, by the University.
- 4.1.10 Fees and charges for VET Students will be collected in accordance with the provisions of the Vocational Education and Training Act 1996 (WA) and in accordance with the Fees and Charges provisions of the appropriate Regulations and authorities.

4.2 **Administration fees**

- 4.2.1 A Student may be charged an administration fee where the Student is responsible for creating an administrative cost that is additional to normal requirements or expectations. Examples include but are not limited to:
- (a) multiple changes of Program; or
 - (b) more than one request for Advanced Standing.
- 4.2.2 Other fees may be charged at the discretion of the Academic Registrar.

4.3 **Student Services and Amenities fees**

- 4.3.1 The University may charge eligible students a Student Services and Amenities Fees (SSAF) as published on the University's website.
- 4.3.2 SSAF upfront payment or submission of the SA-Help Form will be due by the Census Date of the session in which it was charged. Students who fail to pay SSAF or submit an SA-HELP Form by the due date will not be able to view their results or request an academic transcript until full payment is made.
- 4.3.3 Students who withdraw from all of their courses before Census Date will not be liable for SSAF for that study period and may be eligible for a refund if SSAF has been paid upfront.
- 4.3.4 Students who withdraw after Census Date will not be eligible for refund of SSAF or a remission of their SA-HELP debt as per HESA (2003) legislation.

4.4 **Student liability for fees**

- 4.4.1 A Student liable to the University for unpaid fees, charges or penalties is not entitled to:
- (a) access, obtain or be advised of results in any Course undertaken at the University;
 - (b) be issued with an academic transcript or testamur from the University;
 - (c) re-enrol without the permission of the National Director Student Administration
 - (d) graduate from the University.
- 4.4.2 The University may charge interest on outstanding fees from the date the fees become overdue and as specified under any By-Law of the University.
- 4.4.3 The University may refer outstanding fees to a debt collection agency and, if so, the Student is liable for the associated costs and fees incurred by the University.

4.5 **International student fees refund policy**

- 4.5.1 The University acts at all times in accordance with government requirements relating to fee charges and refunds of charges for international Students.
- 4.5.2 The right of any International Student to a refund of fees is contained in the *Policy: Refunds for International Students* approved, from time to time, by the University.
- 4.5.3 An International Student may appeal a decision of the University on the amount of fees to be refunded in accordance with the *Policy: Student Appeals*.

5. **ACADEMIC PROGRESS**

5.1 **Academic Progress**

The *Procedure: Academic Progress* states the requirements for:

- 5.1.1 requirements for monitoring students' academic progress
- 5.1.2 criteria for deciding students' academic statuses, and
- 5.1.3 criteria for deciding whether to terminate a student's Program enrolment suspend a student's enrolment at the University or terminate a student's enrolment at the University for unsatisfactory academic progress.

5.2 **Leave of absence (undergraduate and postgraduate coursework degree enrolments)**

- 5.2.1 Students must formally apply to take a Leave of Absence.

- 5.2.2 A domestic Student may apply to take leave of absence from their Program:
- (a) for no more than four prescribed Study Periods where a Student enrolled in a Double Degree changes their enrolment to one of the components of the Double Degree this will be counted as the same Program for the purpose of determining any entitlement to a leave of absence).
- 5.2.3 An international Student on a Student visa is only permitted to take leave:
- (a) in accordance with the *Education Services for Overseas Students (ESOS) Act 2000*; and
 - (b) for no more than one prescribed Study Period.
- 5.2.4 A Student who fails to follow the proper procedure for applying for a leave of absence will be recorded as AWOL unless they are enrolled in Courses.
- 5.2.5 The National Head of School (at his/her discretion) may grant an extension of time for the mark/grade to remain on Hold or In Progress.
- 5.2.6 In exceptional circumstances, and at his/her sole discretion, the Executive Dean may approve more than four prescribed Study Periods of leave of absence.
- 5.2.7 If a Student takes a leave of absence for more than four prescribed Study Periods (or such other amount as granted in accordance with Regulation 5.2.6) over the duration of their enrolment in the Program, he or she shall have their file at the University closed and may not enrol in any further Course and/or Program. The Student may apply to Admissions for readmission in accordance with the requirements in the *Procedure: Admission*.
- 5.2.8 During the leave of absence period, a Student may be granted limited rights of access to University resources.
- 5.2.9 The University counts any period of leave of absence as part of the period of enrolment for the Program and contributes to the maximum duration permitted for a Program.
- 5.3 **Leave of absence (research degree enrolments)**
- 5.3.1 Students must formally apply to take a Leave of Absence.
- 5.3.2 A domestic Student may apply for leave from their Research Degree:
- (a) for no more than four prescribed Study Periods.
- 5.3.3 An International Student on a Student visa is only permitted to take leave from their Research Degree:
- (a) in accordance with the *ESOS Act 2000*; and
 - (b) for no more than one prescribed Study Period.
- 5.3.4 In exceptional circumstances, and at their sole discretion, the Executive Dean may approve more than four prescribed Study Periods of leave of absence. The Pro Vice Chancellor, Research may be consulted in the decision.
- 5.3.5 During the period of a leave of absence, a Student has limited access to University resources, but has no right to ongoing supervision.
- 5.3.6 The University does not count any period of leave of absence as part of the period of enrolment for the Degree.
- 5.4 **AWOL (absent without leave)**
- 5.4.1 A continuing Student who has no enrolment in any particular semester(s) during the Program and who fails to apply to the Executive Dean for leave of absence shall, after follow up communication by Student Administration, be declared to be AWOL.
- 5.4.2 An incoming Student who has not enrolled in the first semester of their Program and who fails to apply for either a leave of absence or to defer their commencement, shall after follow up communication by Student Administration have their status changed to 'File Closed' by the Census Date of their first semester.
- 5.4.3 Where a Student is enrolled in a Program at the University and the Course(s) within that Program are scheduled intensively or only offered in summer and/or winter terms, the Student will not be considered AWOL for the main semesters within the academic year.

- 5.4.4 Where a Student is enrolled in a Program at the University and no appropriate Course in that Program is offered by the University the Student will not be considered AWOL.
- 5.4.5 A higher degree by research Student who is AWOL is governed by these Regulations.
- 5.4.6 A Student who is AWOL:
- (a) has no rights of access to University resources during the period of AWOL
 - (b) for one semester may re-enrol via the readmission process
 - (c) for more than one semester will be deemed to have ceased to attend the University and may have their file closed on or at any time after the Census Date of the second semester of their absence. In this case, a Student whose file has been closed may apply to the National Manager Admissions for readmission in accordance with the requirements in the *Procedure: Admissions*.
- 5.4.7 A Student who, following a period of AWOL, obtains permission from the National Head of School to re-enrol will have any period of AWOL treated as a leave of absence. Only the Executive Dean may approve re-enrolment where a period of AWOL results in a Student exceeding the four prescribed Study Period allowance for leave of absence.
- 5.5 **Maximum duration**
- 5.5.1 The *Procedure: Program and Course Design* states the maximum duration of enrolment of each type of Program.
- 5.5.2 The *Procedure: Academic Progress* states the requirements that apply where a student's enrolment will continue beyond the maximum duration of enrolment in their Program.
- 5.6 **Placements**
- 5.6.1 The *Procedure: Program and Course Delivery and Management* states the conditions on which a National Head of School may refuse to allow a Student to undertake or continue a Placement.

6. ASSESSMENT

6.1 Assessment and Examinations

- 6.1.1 The *Procedure: Assessment and Examinations* states requirements in relation to:
- (a) design and conduct of assessment in coursework courses
 - (b) examinations
 - (c) supervision and examination of research components of coursework programs, and
 - (d) grades and their approval.

6.2 Assessment and Learning Flexibility

- 6.2.1 The *Procedure: Assessment and Learning Flexibility* states requirements in relation to:
- (a) reasonable adjustments to assessment arrangements to accommodate disability
 - (b) adjustments to assessment arrangements for students who are elite athletes
 - (c) adjustments to assessment arrangements to enable students who are Aboriginal or Torres Strait Islanders to meet cultural commitments
 - (d) extensions of time in which to submit assessment work
 - (e) special consideration
 - (f) deferred and irregularly scheduled exams
 - (g) supplementary assessment, and
 - (h) conceded pass grades.

7. CONFERRAL OF QUALIFICATIONS

7.1 Conferral of qualification

- 7.1.1 Conferral of a Degree, Diploma or Certificate of the University occurs when a Student has:

- (a) completed all the requirements of that Degree, Diploma or Certificate;
 - (b) paid all fees, charges or fines which are outstanding; and
 - (c) provided Unique Student Identifier (USI) to Student Administration in compliance with Commonwealth Government requirements.
- 7.1.2 A Research Degree candidate will be eligible for graduation and degree conferral only after their Thesis has been endorsed by the Pro Vice Chancellor Research. The Pro Vice Chancellor Research will only make this recommendation after the Research Office has received an electronic copy of the Thesis and a signed Thesis Declaration form in accordance with the *Guideline: Presentation and Submission of Research Theses*.
- 7.1.3 In appropriate circumstances, the National Head of School may recommend to the Deputy Vice Chancellor, Academic that the Vice-Chancellor waive the requirements of Regulation 7.1.1(a) on the basis that the National Head of School certifies that the Student has achieved substantial completion. On receipt of a recommendation from the National Head of School, the Deputy Vice Chancellor, Academic may instruct Student Administration that the Student is to be regarded as having satisfied the requirements of the relevant Degree, Diploma or Certificate, and that their application is to be treated accordingly.
- 7.1.4 The Board of Examiners for Graduands will recommend conferral of degrees, diplomas and awards to the Vice Chancellor through Academic Council in accordance with University Statute 56.7(iv).
- 7.2 Graduation ceremony**
- 7.2.1 A Student will receive an invitation to attend a particular graduation ceremony following conferral of a Degree, Diploma or Certificate of the University and must confirm attendance to that graduation ceremony by the date published by the Student Administration.
- 7.2.2 The National Director Student Administration may allow a late confirmation to attend a graduation ceremony taking into consideration reasons provided by the Student.
- 7.2.3 A Student may apply to attend a graduation ceremony at a Campus other than their Home Campus provided that:
- (a) there is a graduation ceremony held on the other Campus at the time the Student intends to graduate; and
 - (b) the Student has the approval of the National Director Student Administration
- 7.2.4 At each graduation ceremony, the University will invite a Student to deliver an address on behalf of all graduating Students at the ceremony. That Student will ordinarily:
- (a) have the highest Weighted Average Mark (WAM) of attending Students;
 - (b) have completed an undergraduate Degree of at least three years' duration, or have completed the pre-service Doctor of Medicine Program; and
 - (c) have achieved at least a graded pass in three quarters of the Courses they studied.
- 7.3 Degrees with Distinction and High Distinction**
- 7.3.1 Undergraduate Degrees may be awarded a distinction or high distinction except where the Honours stream is studied concurrently in the final years of an undergraduate degree.
- 7.3.2 To be eligible for a Degree with Distinction or High Distinction in an undergraduate Degree, a Student's Program must:
- (a) be at least three years in duration; and
 - (b) consist of graded Courses with a minimum of two years (equivalent full-time study load); and
 - (c) consist of a minimum of two years (equivalent full-time study load) completed at The University of Notre Dame Australia.
- 7.3.3 Postgraduate Degrees may be awarded a Distinction or High Distinction except Graduate Certificate and Graduate Diploma Programs.
- 7.3.4 To be eligible for a Degree with Distinction or High Distinction in a Postgraduate Degree, a

Student's Program must be a minimum of one year (equivalent full-time study load) of graded The University of Notre Dame Australia Courses.

7.3.5 A Student is awarded their Degree with High Distinction or Distinction if the performance of the Student across their Degree is of an excellent standard based on the Student's GPA as follows:

- (a) High Distinction where the Student has a GPA of 3.5 or greater;
- (b) Distinction where the Student has a GPA of 3.25 or more but less than 3.5.

7.4 **Testamurs**

7.4.1 A Testamur issued by the University under its Statutes bears:

- (a) the name of the University;
- (b) the full title of the qualification conferred;
- (c) any subsidiary component of the qualification, including a Specialisation or a Major;
- (d) where a qualification has been awarded with Honours, a statement to that effect and, in the case of First Class Honours, that specific notation;
- (e) where a qualification has been awarded with High Distinction or Distinction, a statement to that effect;
- (f) the year and date of award;
- (g) the full name of the Student;
- (h) the signatures of the Chancellor and Vice Chancellor; and
- (i) the seal of the University.

7.4.2 In the case of a VET qualification, testamurs issued by the University must comply with requirements on issuing AQF qualifications in the Standards for Registered Training Organisations (RTOs) 2025.

7.4.3 The Graduate's full name will appear as recorded in their University record and will not include titles (eg. Dr, Prof etc.).

7.4.4 A Student who has legally changed their name by deed poll (or equivalent) or by marriage may apply for a revised testamur in their new name by:

- (a) applying in writing to Student Administration at the end of their Program; and
- (b) paying any applicable fee.

7.4.5 The National Director Student Administration may allow a Student to change their name on the testamur after the completion of the Program in exceptional circumstances where the Student has applied in writing providing details of the exceptional circumstances and supporting documentation.

7.5 **Postnominals**

7.5.1 The Academic Council shall approve the postnominals for each Program awarded.

7.5.2 The abbreviation "Notre Dame Aust" will be used as a postscript to Program postnominals.

7.6 **Study abroad certificates**

7.6.1 A Student who successfully completes an Inbound Study Abroad Program will be presented with a certificate which bears the name of the University, the title of the Program, the year and date of its completion, the name of the Student, and the Seal of the University. Certificates will only be presented to Students who achieve a Pass grade in five Courses.

7.7 **Pathway Program certificates**

7.7.1 A Student who successfully completes a Pathway Program will be presented with a certificate which bears the name of the University, the title of the Program, the year and date of its completion, the name of the Student and the name of the Program.

7.8 **Transcripts (statement of academic record)**

- 7.8.1 An academic transcript is a certified statement detailing a Student's academic record at the University.
- 7.8.2 The academic transcript includes:
- (a) details of all Programs/Courses in which the Student has had an effective enrolment and the marks/grades achieved in Courses;
 - (b) the Student's GPA;
 - (c) subject to regulation 7.8.3, any notation approved by the National Director Student Administration that relates to the Student's enrolment at the University, including but not limited to Student Association Executive positions, National Student Board membership, academic governance committee membership and/or disciplinary action;
 - (d) any University prizes and graduation details; and
 - (e) acknowledgment of any Advanced Standing that has been awarded.
- 7.8.3 To be eligible for notation of a student's contribution to the National Student Board, an academic governance committee and/or Student Association Executive on their academic transcript, the student must have been in the position for one full semester. In cases where a student has ceased to hold one of these positions (voluntarily or involuntarily) for reasons of misconduct and/or failure to perform their duties, no notation will be made on their academic transcript irrespective of the amount of time they have held the position.
- 7.8.4 In cases where a student has already graduated, and no notation had been made on their academic transcript about membership of the National Student Board, an academic governance committee and/or holding a Student Associate Executive position, a replacement academic transcript to reference such contribution(s) will be issued at not charge.
- 7.8.5 A Student may:
- (a) view their records upon proof of identification; and
 - (b) obtain a copy of the transcript from the Student Administration Office by making a written request authorising the release of the transcript. A fee is charged for each transcript copy.
- 7.8.6 The University reserves the right to withhold copies of transcripts of a Student who has unfulfilled financial obligations to the University.
- 7.8.7 A Student who has legally changed their name by deed poll or by marriage may apply for a revised transcript in their new name by:
- (a) applying in writing to the Student Administration before the end of their Program; and
 - (b) paying any applicable fee.
- 7.8.8 The National Director Student Administration may allow a Student to change their name on their transcript after the completion of the Program in exceptional circumstances where the Student has applied in writing providing details of the exceptional circumstances and supporting documentation.
- 7.8.9 A Student attempting to gain access to or gain possession of another Student's record will be subject to disciplinary proceedings.
- 7.9 **Australian Higher Education Graduation Statement (AHEGS)**
- 7.9.1 The University will issue an Australian Higher Education Graduation Statement (AHEGS) to each student graduating with an Australian Qualifications Framework compliant award in accordance with the Australian Government's prescribed AHEGS requirements.
- 7.10 **Posthumous and aegrotat awards**
- 7.10.1 The University may present posthumous or aegrotat awards to Students who are seriously ill, permanently disabled and are unable to complete the requirements of a Program or are recently deceased.
- 7.10.2 The Student (or the Student's family, next of kin or legal representative in cases where the Student is deceased or incapacitated) may apply in writing to the Executive Dean for a posthumous or aegrotat award of an Undergraduate or Postgraduate Degree by Coursework

where the Student:

- (a) is (or would have been) in the final year of study of their Undergraduate or Postgraduate Degree;
- (b) holds (or held) Good Standing Academic Status; and
- (c) is (or was) in good financial standing.

- 7.10.3 To be eligible for a posthumous or aegrotat award a Student in a Postgraduate Research Degree must have submitted a suitable draft of the thesis.
- 7.10.4 The Executive Dean will advise the Deputy Vice Chancellor, Academic whether, in their view, the Student would have been able to satisfactorily complete the requirements of the Program.
- 7.10.5 Final approval for a posthumous or aegrotat award is at the discretion of the Vice-Chancellor.

7.11 **Revocation of an award**

- 7.11.1 Where the University receives information that a Student has fraudulently obtained an award by misleading or deceptive conduct or transgression of unethical research, the Vice Chancellor may revoke the conferred award.
- 7.11.2 A Student who has had a conferred award revoked must deliver to the National Director Student Administration the original testamur and academic transcript bestowed on the Student at graduation.

8. **STUDENT DISCIPLINE**

8.1 **Student conduct**

- 8.1.1 All Students are bound by the Code(s) of Conduct for Students published by the Vice Chancellor from time to time and the University's relevant published policies, procedures, guidelines and other codes relating to expected behaviour. This includes the University's *Policy: Academic Integrity*.
- 8.1.2 All students are required to uphold the University's *Policy: Academic Integrity* and *Procedure: Academic Integrity*.

8.2 **Misconduct**

Misconduct is any act or omission of a Student which is inconsistent with the expected standards, values and Objects of the University and includes, but is not limited to, behaviour of a Student that:

- 8.2.1 breaches or causes or contributes to a breach of any provision of an Act, Statute, Regulation, subordinate instrument or code of practice or conduct applying to the University or to which staff or Students of the University are subject including, but not limited to, the Code(s) of Conduct for Students and University policies concerning sexual assault and harassment, privacy, email usage, social media, intellectual property, use of University resources and information technology, and occupational health and safety;
- 8.2.2 prejudices the good order and governance of the University or the reputation or academic standing of the University;
- 8.2.3 impairs the reasonable freedom of other persons to undertake their studies or work in the University or participate in the life of the University;
- 8.2.4 causes any member of the University community or other person, to suffer damage to, or hold reasonable fears for, their safety or physical or psychological wellbeing or to feel intimidated, threatened, bullied, vilified or harassed including whether in person or via another medium;
- 8.2.5 alters, falsifies or fabricates any document or record of the University or provides to the University any altered, false or fabricated document for the purposes of satisfying any University requirement or requirement from an external organisation;
- 8.2.6 knowingly provides false or misleading information to a staff member, the University or a third-party organisation with a contractual relationship to the University;
- 8.2.7 interferes with, steals, misappropriates or causes damage to, or loss of, any property or facilities owned or controlled by the University or owned or controlled by any person whilst

- such property or facilities are lawfully on any University premises;
- 8.2.8 constitutes a failure to comply with any reasonable request, direction or order given to the Student by a University staff member for the purpose of ensuring the safety of any person, the preservation of any property, the maintenance of good order or for the purposes of these Regulations or any other University Statute, Regulation, Policy or Procedure;
- 8.2.9 is considered to be a breach of academic integrity at level two or above in accordance with the *Procedure: Academic Integrity*;
- 8.2.10 breaches any Act of State or the Commonwealth to which the University is subject, while in or on University Premises or using University services or facilities;
- 8.2.11 refusing to identify themselves, or to produce a student ID card when asked lawfully to do so by an identified staff member of the University;
- 8.2.12 breaches the terms or conditions of a penalty imposed under these General Regulations or any other University policy;
- 8.2.13 encourages, persuades or incites any other person to engage in conduct or behaviour constituting Misconduct;
- 8.2.14 attempting any act which, if completed, would have constituted Misconduct.

8.3 **Liability of students to disciplinary action**

- 8.3.1 The University may take disciplinary action against a Student or former Student where an allegation of Misconduct is made against a Student or former Student, where the allegation relates to conduct occurring while a former Student was enrolled at the University.
- 8.3.2 Any finding of Misconduct against a Student or former student must be established on the balance of probabilities.
- 8.3.3 A Student's non-enrolment or withdrawal from a Course, Program or the University does not affect the continuation of any disciplinary process commenced against that former Student.

8.4 **External authorities**

- 8.4.1 Where an allegation relates to Misconduct of a type that the University is required to report to external authorities, such as the police or other government or regulatory agency, the University will ensure that the allegation is dealt with in a manner that does not jeopardise or adversely impact an investigation by any external authority. In some circumstances this may include suspending the University's disciplinary process until such time as an external investigation is complete.

8.5 **Allegation of Misconduct**

- 8.5.1 An allegation of Misconduct against a Student or former Student can be made by any person in writing to:
- (a) The National Head of School in which the Student or former Student is/was enrolled; or
 - (b) the National Director, Pathways, where the Student or former Student is/was enrolled in a Pathways Program; or
 - (c) the Director, Student Engagement and Support, where allegations of Misconduct relate to Residential Students, Hall of Residence, Student Associations and affiliated Clubs, and students participating or representing the University in non-academic activities, or
 - (d) the National Director, International where the allegation of Misconduct relates to a Student or former Student enrolled in a Study Abroad or Exchange Program.
- 8.5.2 Allegations of Research Misconduct made against a Student or former Student enrolled in a Research Program, should be dealt with in accordance with the *Procedure: Managing and Investigating Breaches of the Code of Conduct: Research*.

8.6 **Receipt of allegation**

- 8.6.1 On receiving an allegation, the National Head of School or Director referenced in section 8.5.1

(b), (c) or (d) (for the purpose of this section referred to as “Director”) may make preliminary investigations in order to determine whether the allegation against the Student or former Student should proceed.

8.7 Initial meeting

8.7.1 When a National Head of School or Director is notified of an allegation, he or she will arrange to meet with the Student or former Student against whom the allegation is made. The Student must be advised that they may bring a support person to the meeting.

8.7.2 The support person for the Student is not entitled to be heard, except with permission of the National Head of School or Director, and may be excluded if he or she disrupts the conduct of the meeting.

8.7.3 At the meeting the National Head of School or Director will:

- (a) obtain permission of the Student prior to any audio or video recording of the meeting being made;
- (b) advise the Student that the allegation has been made and, if the allegation is in writing, provide the Student with a copy of the allegation;
- (c) give the Student an opportunity to discuss the allegation;
- (d) advise the Student of the relevant advisory and support services such as counselling available to assist the Student; and
- (e) if possible, resolve the allegation.

8.7.4 After the meeting (or after the time at which a meeting is scheduled, and the Student or former Student fails to attend the meeting) the National Head of School or Director will make one of the following determinations:

- (a) dismiss the allegation as trivial or not well-founded; or
- (b) confirm the allegation was resolved; or
- (c) deal with the allegation if it relates to a Level Two breach of Academic Integrity; or
- (d) deal with the allegation outside of the University Discipline Committee; or
- (e) refer the allegation to the University Discipline Committee in circumstances where the National Head of School or Director forms the view that the allegation relates to breaches of Misconduct of a more serious level, including:
 - (i) conduct which if established would be found to be an Academic Integrity breach at Level Three or above under the *Procedure: Academic Integrity*; or
 - (ii) misconduct which, if substantiated, would be of a kind that may warrant penalties outside the powers of the National Head of School or National Director ; or
 - (iii) When a formal report of Sexual Assault or Sexual Harassment is made against a Student or former Student under the *Procedure: Responding to Sexual and Gender-Based Violence*, which require such allegations to be referred to a University Discipline Committee.

8.7.5 The National Head of School or Director will write to the Student and the party making the allegation, where appropriate, and advise them of the determination in accordance with Regulation 8.7.4, and the action to be taken.

- (a) If the matter was confirmed as resolved at the meeting (Regulation 8.7.3(e)) because the allegation was explained and discussed with the Student, and the Student was given the opportunity to properly respond verbally, and no further investigation was required, the penalty to be applied under Regulation 8.9.1 can be included in this letter.

8.8 Investigation of allegation

8.8.1 Where the National Head of School or Director makes a determination after the initial meeting to deal with the allegation outside of a Discipline committee or to refer the allegation to the University Discipline Committee they must do the following:

- (a) Provide the Student with a formal written notice setting out:

- (i) the specific details of the allegation(s), including a copy of the allegation(s) if in writing, and any other information in support of the allegation;
 - (ii) the relevant provisions of the General Regulations, and/or other policies, procedures or Student Codes of Conduct alleged to have been breached;
 - (iii) a copy of the relevant Regulation, Policy, Procedure or Code;
 - (iv) the Student's right to provide a written submission or evidence in response to the allegation(s), within five Working Days from receipt of the notice;
 - (b) Request written information from, or interview, any person the National Head of School or Director believes might have information relevant to the allegation. Where it is intended to rely on any further information gathered, the National Head of School or Director should provide a copy of the information to the Student and provide the Student with an opportunity to respond.
 - (c) Where the allegation(s) relate to breaches of Academic Integrity, take into account the *Procedure: Academic Integrity*.
- 8.8.2 After five Working Days, if the National Head of School or Director has received a written submission from the Student and/or gathered any further information, they will either schedule a further meeting with the Student to allow the Student to properly respond to the further evidence and/or clarify matters in their written submission, or they will refer the allegation to the University Discipline Committee.
- 8.8.3 In the case where the matter is being dealt with outside the University Discipline committee, and a Student has not submitted a written submission or further evidence was not gathered since the initial meeting (i.e., there is nothing further for the Student to properly respond to or clarify), a further meeting may not be required prior to the National Head of School or Director making their final determination in accordance with Regulation 8.8.9.
- 8.8.4 The Student will be given at least five Working Days' notice of the time of the further meeting or University Discipline Committee hearing and advised that they may bring a support person, subject to the Student providing at least 24 hours' notice to the National Head of School or Director, that a support person will be present.
- 8.8.5 The Student and the National Head of School, National Director or Chair of the University Discipline Committee may agree in writing at any time to reschedule the date, time and place for the meeting or University Discipline Committee hearing.
- 8.8.6 If a Student does not attend the scheduled meeting or University Discipline Committee hearing, the allegation may be considered on the date/time of the scheduled meeting or hearing in the Student's absence.
- 8.8.7 Where, during the process of investigating the allegation the National Head of School or Director identifies further allegations, these allegations may be investigated, provided reasonable notice and an opportunity to respond is provided to the Student.
- 8.8.8 If, during any stage, the National Head of School or Director forms the view that the allegation is of a more serious nature than first indicated, the allegation may be referred to the University Discipline Committee in writing and the Student must be advised in writing of this action.
- 8.8.9 Following investigation of the allegation(s), the National Head of School or Director may make one of the following determinations:
- (a) dismiss the allegation(s);
 - (b) uphold the allegation(s), and impose one or more penalties provided in Regulation 8.9.1; or
 - (c) refer the matter to the University Discipline Committee if they consider that the allegation relates to Misconduct of a more serious level, including:
 - (i) conduct which if established would be found to be a Level Three or Level Four breach under the *Procedure: Academic Integrity*; or
 - (ii) Misconduct which, if substantiated, would be of a kind that may warrant penalties

outside the powers of the National Head of School or Director as listed in Regulation 8.9.1.

- 8.8.10 Where the National Head of School or Director makes a determination to uphold an allegation, the Student or former Student must be provided, within five Working Days of reaching the determination:
- (a) written notice of the decision;
 - (b) the reasons for the decision;
 - (c) details of the disciplinary action imposed; and
 - (d) notice of the Student's right of appeal.
- 8.8.11 The National Head of School or Director must give written notification of the determination to the following officers:
- (a) the Deputy Vice Chancellor, Academic the Academic Registrar;
 - (b) the Executive Dean
 - (c) the Head of any other School in which the Student is enrolled; and/or
 - (d) the National Director, International, where allegations relate to Study Abroad or International Students;
 - (e) the National Director, Student Life and Wellbeing, where allegations related to Halls of Residence matters.
- 8.8.12 The National Head of School or Director will write to the person or persons who made the allegation and advise them that the matter has been dealt with.
- 8.8.13 The Student may lodge an appeal against the determination of the National Head of School or Director, to the Chair of the University Discipline Committee within 10 Working Days of receipt of the determination.

8.9 **Disciplinary powers of the National Head of School or Director**

- 8.9.1 The National Head of School or Director is authorised to impose one or more of the following penalties:
- (a) reprimand the student in writing; and/or
 - (b) for a breach of Academic Integrity that is considered to be Misconduct, a penalty appropriate to the nature and level of severity of the breach that is determined in accordance with Appendix 1 in the *Procedure: Academic Integrity*; and/or
 - (c) impose Conditions on enrolment, subject to the Student's good behaviour; and/or
 - (d) require the Student to pay compensation to the University an amount equal to the cost of repairing or replacing any University property damaged or stolen; and/or
 - (e) require the Student to undertake a specified number of hours of University service; and/or
 - (f) evict from, or apply conditions or restrictions on the Student's continued residency in, the Halls of Residence; and/or
 - (g) prevent the Student from having any or specified contact with particular Students or members of staff of the University as the National Head of School or Director considers necessary or appropriate; and/or
 - (h) complete an essay on a relevant topic to demonstrate reflection on the nature of the Misconduct.
- 8.9.2 In determining disciplinary action and any associated penalty, the following factors must be considered:
- (a) nature and extent of the Misconduct;
 - (b) extent to which the behaviour was planned or deliberate and the motives for the conduct;
 - (c) Student's history of conduct;
 - (d) degree of advantage gained or potentially gained;
 - (e) potential or actual disadvantage to other Students;

- (f) potential or actual negative impact on the University;
 - (g) extent to which the Misconduct could be considered an offence in the wider community that, under law, might lead to legal proceedings; and
 - (h) penalties imposed in previous cases involving similar conduct, with a view to maintaining overall consistency in penalties.
- 8.9.3 The National Head of School or Director must ensure that any penalties imposed are fair and consistent.
- 8.10 University Discipline Committee**
- 8.10.1 The University Discipline Committee is responsible for dealing with:
- (a) determinations of Misconduct referred to them by the National Head of School or Director in accordance with Regulation 8.7.4(e);
 - (b) any appeal made by a Student against a determination and/or penalty imposed under Regulation 8.9.1 by a National Head of School or Director.
- 8.10.2 The University Discipline Committee will comprise:
- (a) the Chair, who will be the Head Curriculum and Quality or nominee; and
 - (b) the Academic Registrar
 - (c) Manager Academic Integrity and Misconduct
 - (d) a nominee of the Deputy Vice Chancellor Academic, where the allegation relates to a Breach of Academic Integrity by a student in a coursework Program;
 - (e) a nominee of the Pro Vice Chancellor Research, where the allegation relates to a Breach of Academic Integrity by a student in a Research Degree Program;
 - (f) the National Director, International, where the Student is an International Student or a Study Abroad Student; and
 - (g) a National Head of School or Director nominated by the Chair (other than a National Head of School or Director responsible for making a determination under Regulation 8.8.1); and
 - (h) a Senior staff member as nominated by the Academic Registrar (in addition to a National Head of School or Director in (e) above); and
 - (i) Student who is a member of the Student Association and has completed at least two years of study at the University relevant to the Campus to which the allegation is related; and
 - (j) any other person that the Deputy Vice Chancellor, Academic deems appropriate.
- 8.10.3 The Chair will have a deliberative vote and a casting vote in the event of a deadlock.
- 8.10.4 If, in a particular case, a member of the University Discipline Committee is absent or declines to sit, or the Chair considers it appropriate that a member not sit, the Chair may appoint a person to sit in that member's place and for the purposes of determining the matter that person has the same powers on the University Discipline Committee as the person they are replacing.
- 8.10.5 The Head Curriculum and Quality will maintain a register of suitably-qualified staff members and students who have received training in the University's disciplinary processes and who have been approved annually by the Deputy Vice Chancellor, Academic to serve on the University Discipline Committee as required and in accordance with the composition at Regulation 8.10.2.
- 8.11 University Discipline Committee hearing**
- 8.11.1 Where a National Head of School or Director refers an allegation of Misconduct to the University Discipline Committee in accordance with Regulation 8.7.4(e), or a Student lodges an appeal against a decision of a National Head of School or Director in accordance with Regulation 8.8.13, the Chair of the University Discipline Committee must convene a hearing to determine the matter within 20 Working Days after receipt of the allegation or the appeal.

- 8.11.2 The University Discipline Committee must give the Student at least five Working Days' notice of the time and place of the hearing. The Chair and the Student may agree to shorten or extend the time limits for any hearing.
- 8.11.3 Where the University Discipline Committee is convened to hear an appeal against a decision made by a National Head of School or Director in accordance with Regulation 8.9.1, the Student must provide the University Discipline Committee with a written statement setting out his or her reasons for appeal and provide evidence to support those reasons. In determining an appeal, the University Discipline Committee must consider the appeal as it deems appropriate and ensure it complies with the principles outlined in Regulations 8.11.4(b) to (f).
- 8.11.4 Where the University Discipline Committee deals with an allegation referred by the National Head of School or Director in accordance with Regulation 8.7.4(e), the University Discipline Committee must deal with the allegation by undertaking an investigation of the allegations by following, as far as possible, the steps outlined in Regulation 8.8.1, including:
- (a) providing the Student with the specific details of the allegation, including the written allegation and any information provided to the University Discipline Committee to allow the Student to respond to the allegations;
 - (b) allowing the Student the opportunity to respond in writing and orally;
 - (c) allowing the Student to be accompanied by a support person at any meeting/hearing held;
 - (d) investigating the allegation by gathering information in a manner it considers appropriate. In gathering information the University Discipline Committee is not bound by the rules of evidence but must ensure it acts fairly having regard to the requirements of procedural fairness;
 - (e) considering the allegation(s) on the facts before them and not take into account irrelevant matters;
 - (f) obtaining permission of the Student and Committee members prior to any audio or video recording of the hearing being made.
- 8.11.5 If the Student does not attend the University Discipline Committee hearing, the Chair may allow the hearing to continue as scheduled in the Student's absence.
- 8.11.6 The support person must not have any association with the alleged Misconduct or act in the capacity of a legal practitioner or advocate unless permission is granted by the Chair. The support person has no right to be heard at the hearing, except with permission of the Chair, and may be excluded by the Chair if they disrupt the hearing.
- 8.11.7 The University Discipline Committee must make a determination to either dismiss or uphold the appeal or, if the University Discipline Committee is dealing with the allegations on referral from a National Head of School, or Director, must make a determination of each allegation of Misconduct. A majority of the members of the University Discipline Committee must agree with any determination made.
- 8.11.8 Where an allegation referred by the National Head of School, or Director in accordance with Regulation 8.7.4(e) is upheld, the University Discipline Committee may impose any one or more of the penalties listed at Regulation 8.12.1.
- 8.11.9 Where the University Discipline Committee upholds an appeal referred to it in accordance with Regulation 8.8.13, it may impose new penalties in accordance with Regulation 8.12.1.
- 8.11.10 The University Discipline Committee must provide the Student or former Student with written notice of its decision, reasons for its decision, penalties imposed, and, if applicable, the right to appeal the University Discipline Committee's decision.
- 8.11.11 The University Discipline Committee must give written notification of its decision and any implications arising to the following officers:
- (a) the Vice Chancellor;
 - (b) the National Head of School of the Student's School and any other School where the

Student is enrolled in courses;

- (c) the Executive Dean;
- (d) the Academic Registrar;
- (e) the National Director, International (where allegations relate to a Study Abroad or International Student);
- (f) the Deputy Vice Chancellor, Academic (where allegations relate to a Breach of Academic Integrity by a student in a coursework Program);
- (g) the Pro Vice Chancellor, Research (where allegations relate to a Breach of Academic Integrity by a student in a Research Degree Program);
- (h) the Associate Deputy Vice Chancellor, Academic (where allegations relate to sexual harassment or sexual harassment or Halls of Residence Students);
- (i) the Student Appeals Officer (where appeals were referred to the University Discipline Committee)

8.11.12 If the University Discipline Committee considers it appropriate in the circumstances, it will give written notification of completion to the party making the allegation.

8.11.13 Where the University Discipline Committee deals with an appeal from a decision of a National Head of School or Director made under Regulation 8.9.1, the decision of the University Discipline Committee will be final and the student has no further internal right of appeal.

8.12 **Disciplinary powers of the University Discipline Committee**

8.12.1 Where the University Discipline Committee makes a finding of Misconduct, it may impose one or more of the following penalties:

- (a) reprimand the student in writing; and/or
- (b) for a breach of academic integrity that is considered to be Misconduct, a penalty appropriate to the nature and level of severity of the breach that is determined in accordance with Appendix 1 in the *Procedure: Academic Integrity*; and/or
- (c) impose Conditions on enrolment, as considered appropriate and subject to the Student's good behaviour; and/or
- (d) require the Student to pay compensation to the University an amount equal to the cost of repairing or replacing any University property damaged or stolen by the Student; and/or
- (e) require the Student to undertake a specified number of hours of University service; and/or
- (f) prohibit the Student from using any of the University resources for a specified period; and/or
- (g) require the student to complete an essay on a relevant topic to demonstrate reflection on the nature of the Misconduct; and/or
- (h) evict from, or apply conditions or restrictions on the Student's continued residency in, the Halls of Residence; and/or
- (i) prevent the Student from having any or such specified contact with particular Students or members of staff of the University as the University Discipline Committee considers necessary or appropriate; and/or
- (j) transcript notation; and/or
- (k) suspend the Student on such terms and conditions as the University Discipline Committee considers necessary or appropriate; and/or
- (l) terminate a Student's enrolment; and/or
- (m) apply any other penalty considered to be appropriate.

8.12.2 In determining the relevant penalty, the University Discipline Committee must consider the factors set out in Regulation 8.9.2. The University Discipline Committee must ensure that any penalties imposed are fair and consistent.

8.12.3 A Student may appeal a decision made or penalty imposed by the University Discipline

Committee to the University Student Misconduct Appeals Committee as per the *Policy: Student Appeals*.

8.13 University Student Misconduct Appeals Committee

- 8.13.1 The University Student Misconduct Appeals Committee will be appointed by the Deputy Vice Chancellor, Academic and will comprise:
- (a) a nominee of the Deputy Vice Chancellor, Academic (the Chair);
 - (b) the Academic Registrar;
 - (c) one or two staff members nominated by the Deputy Vice Chancellor, Academic;
 - (d) a Student who has completed at least two years of study at the University nominated by the President of the Student Association relevant to the Campus to which the allegation is related.
- 8.13.2 A person who has been in any way involved in, associated with, or alleged to have been involved in or associated with the alleged Misconduct, its investigation, or the decision or penalty under appeal may not be a member of the University Student Misconduct Appeals Committee.
- 8.13.3 An Executive Officer will be appointed by the Deputy Vice Chancellor, Academic to support the work of the Committee.
- 8.13.4 The Chair will have the deliberative and a casting vote in the event of a deadlock.
- 8.13.5 The University Student Misconduct Appeals Committee may seek the advice of the University's legal representative who may assist the Committee in its investigations and deliberations.

8.14 University Student Misconduct Appeals Committee hearing

- 8.14.1 Within 10 Working Days of receiving a notice of appeal, the Deputy Vice Chancellor, Academic will establish a University Student Misconduct Appeals Committee to hear and determine the appeal.
- 8.14.2 The University Student Misconduct Appeals Committee must review the matter and may uphold, dismiss, or vary the decision appealed by the Student and may impose any of the penalties imposed under Regulation 8.12.1.
- 8.14.3 The Student must be given at least five Working Days' written notice setting out:
- (a) the time and date of the appeal hearing;
 - (b) the rights of the Student at the hearing, including but not limited to:
 - (i) the Student providing a written submission of evidence in relation to the appeal, and
 - (ii) the Student's right to be accompanied by one support person; and
 - (iii) the name of the Chair of the University Student Misconduct Appeals Committee.
- 8.14.4 At least 24 hours before the commencement of the University Student Misconduct Appeals Committee hearing, the Student may request their support person act as the student's advocate and speak to the Committee on the student's behalf with the permission of the Chair (which must not be unreasonably withheld) and the Student. The Chair of the Committee may exclude the advocate from the hearing if he or she disrupts or unreasonably impairs the conduct of the hearing.
- 8.14.5 In determining any appeal, the University Student Misconduct Appeals Committee:
- (a) may follow any procedure that the Chair considers to be appropriate;
 - (b) is not bound by the rules of evidence or other technicalities or legal forms, and may seek information in relation to any matter in any manner deemed appropriate;
 - (c) must act fairly in all the circumstances, having regard to the requirements of procedural fairness;
 - (d) must give the Student the opportunity to present material and submissions in support of the appeal and to respond to any other material relating to the appeal; and
 - (e) must consider any material presented.

- 8.14.6 If the Student does not attend the University Student Misconduct Appeals Committee hearing, the Chair may allow the appeal to be heard by the Committee on the same date and time as the scheduled meeting in the Student's absence.
- 8.14.7 The University Student Misconduct Appeals Committee must either:
- (a) dismiss the appeal in whole or in part; or
 - (b) uphold the appeal in whole or in part; or
 - (c) adjourn (and reconvene within 10 Working Days) the hearing to allow for further time to investigate and acquire information in relation to the appeal.
- 8.14.8 For an appeal to be upheld, a majority of the members of the University Student Misconduct Appeals Committee must be satisfied that a ground of appeal has been established. If this is not the case, the appeal must be dismissed.
- 8.14.9 If the University Student Misconduct Appeals Committee upholds or dismisses the whole or any part of an appeal, it must:
- (a) confirm the decision or penalty imposed by the University Discipline Committee; and/or
 - (b) set aside the decision or penalty imposed by the University Discipline Committee; and/or
 - (c) vary any of the decisions or penalties imposed by the University Discipline Committee; and/or
 - (d) substitute another decision or penalty for any decision or penalties imposed by the University Discipline Committee.
- 8.14.10 In relation to confirming, setting aside, varying or substituting penalties, the University Student Misconduct Appeals Committee must not increase the period of any suspension or exclusion imposed by the University Discipline Committee.
- 8.14.11 Within five Working Days of any decision by the University Student Misconduct Appeals Committee, the Committee must provide:
- (a) the Student with written notice of the terms of the decision, written reasons for the decision and any penalty imposed;
 - (b) the Chair of the University Discipline Committee with written notice of the terms of the decision and any penalty imposed; and
 - (c) the Academic Registrar with a copy of the notice for recording on the Student's file.
- 8.14.12 The University Student Misconduct Appeals Committee must give written notification of the decision to the following officers:
- (a) the Vice Chancellor
 - (b) the Executive Dean
 - (c) the National Head of School
 - (d) Student Administration
 - (e) the Chair, University Discipline Committee
 - (f) the National Director, Student Administration, in the case of a Study Abroad or International Student, and
 - (g) the Associate Deputy Vice Chancellor Academic (where allegations related to sexual harassment or sexual assault, or Halls of Residence Students).
- 8.14.13 If the University Student Misconduct Appeals Committee considers it appropriate in the circumstances, it will give written notification of completion to the person or persons making the original allegation.
- 8.14.14 The decision and any associated penalties of the University Student Misconduct Appeals Committee are final and are not open to further internal appeal.
- 8.15 **Penalties Outstanding, Unfulfilled or Unpaid**
- 8.15.1 While a penalty as a result of the disciplinary process imposed by the National Head of School, Director, University Discipline Committee or the University Student Misconduct Appeals Committee is outstanding, unfulfilled or unpaid (as the case may be), unless the Student has the written consent of the National Director Student Administration Student is prohibited

from:

- (a) enrolling or seeking readmission in accordance with General Regulations; and/or
- (b) receiving any results of assessment; and/or
- (c) receiving their academic record or award from the University and/or
- (d) graduating from the University.

8.16 Vice Chancellor's special disciplinary power

- 8.16.1 The Vice Chancellor may, on written notice, immediately exclude or suspend a Student on such terms as the Vice Chancellor considers necessary in circumstances where they have determined that the Student has acted or behaved, or is acting or behaving, in a way which involves or might involve a risk of:
- (a) injury to the Student or to any other person; or
 - (b) serious damage to property; or
 - (c) serious disruption to any activity sanctioned by the University.
- 8.16.2 The Vice Chancellor may exercise the decision to immediately exclude and/or suspend a Student without giving the Student any right of reply. Where the Vice Chancellor decides to exclude and/or suspend a Student, the Vice Chancellor must, within one Working Day, provide a written notice to the Student setting out the decision and summarising the reason for the decision.
- 8.16.3 A Student must comply with any decision of the Vice Chancellor.
- 8.16.4 As soon as possible after exercising the power in Regulation 8.16.1, the Vice Chancellor will nominate a senior officer to Chair a Special Discipline Committee Hearing into the matter.
- 8.16.5 The members of the Special Discipline Committee will be appointed by the Vice Chancellor and will follow the process set for the University Discipline Committee in Regulations 8.11.2 to 8.11.9, inclusive.
- 8.16.6 At the conclusion of the hearing, the Special Discipline Committee must give written notification of its decision to:
- (a) the Vice Chancellor
 - (b) the Student
 - (c) the person or persons making the allegation, where appropriate
 - (d) the National Head of School of the School in which the Student is enrolled
 - (e) the Executive Dean
 - (f) the Academic Registrar
 - (g) Deputy Vice Chancellor, Academic
 - (h) the National Director Student Administration
 - (i) the Associate Deputy Vice Chancellor Academic (where allegations related to sexual harassment or sexual assault or Halls of Residence Students), and
 - (j) the National Director, International, in the case of a Study Abroad or International Student.
- 8.16.7 The Vice Chancellor may at any time revoke their decision to exclude and/or suspend a Student made under Regulation 8.16.1.
- #### **8.17 Records of disciplinary action**
- 8.17.1 Student Administration must keep a record of:
- (a) all findings of general and academic Misconduct referred to a University Discipline Committee or dealt with as a disciplinary matter by a National Head of School or Director; and
 - (b) all findings of a Special Discipline Committee convened by the Vice Chancellor in accordance with Regulation 8.16.4;
 - (c) all penalties imposed in respect of such findings; and
 - (d) all findings of the University Student Misconduct Appeals Committee, including copies of

notices to the Student.

- 8.17.2 The record forms part of the Student's disciplinary record and must form part of the Student's file which must be made available, taking into account Privacy legislation requirements, to:
- (a) persons within the University if, in the opinion of the Academic Registrar, they have a legitimate need to know; and
 - (b) persons outside the University including but not limited to:
 - (i) the police in response to a written request where they are investigating this or a related matter;
 - (ii) a court order or subpoena in response to a written request;
 - (iii) a School or Hall of Residence or another institute of higher education if, in the opinion of the Academic Registrar, they have a legitimate need to know and in response to a written request.

9. MISCELLANEOUS

9.1 Communication with or contacting students

- 9.1.1 In any provision in which a Student is required to:
- (a) notify the University; and/or
 - (b) apply to the University;
- the Student shall make such application and/or notification to the University in writing.
- 9.1.2 The University allocates each Student an individual Notre Dame Student email account.
- 9.1.3 This email account will be used by the University for correspondence purposes. Unless otherwise exempted by Student Administration, it is a condition of enrolment that a Student undertakes to check their email account on a weekly basis. Official correspondence sent by way of email to a Student email account shall be deemed to have been received.
- 9.1.4 All email communication between current Students and the University must be via the Student's University of Notre Dame Australia student email account.
- 9.1.5 Information regarding a Student will not be disclosed to anyone other than the Student or another staff member for relevant University purposes. If a Student requests any information be given to another person, the Student must provide a letter to the University authorising the University to disclose information to the person nominated in the letter.
- ### **9.2 Service of documents**
- 9.2.1 Where a notice or other document is permitted or required by these Regulations to be given or served, service of the notice or document may be effected on the person to be served:
- (a) by giving the notice or document directly to that person;
 - (b) by sending as an email message the notice or document or a URL link to the notice or document to that person's official The University of Notre Dame Australia email address;
 - (c) by posting the notice or document as a letter to that person's known postal address, as last officially notified to the University; or
 - (d) by leaving it for that person at their place of abode, as last officially notified to the University.
- 9.2.2 Where the notice or document is served in accordance with Regulation 9.2.1(b) service is deemed to have been effected at the time of sending the message.
- 9.2.3 Where the notice or document is posted in accordance with Regulation 9.2.1(c), service is deemed to have been effected at the expiration of four Working Days from the time of posting.