

## INTERPRETATION OF RULES POLICY

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**Purpose** The purpose of this policy is to describe the College's philosophy and approach to interpreting its own rules as apply to students.

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**Applicability** The policy applies to all executive and managerial staff authorized to make decisions from time to time affecting students in accordance with the Program Manuals and relevant policies and rules.

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**Introduction** The College has many published policies and rules affecting such matters as tuition fees and refunds, eligibility, attendance and participation, assessment, academic conduct and completion.

If a rule is required to manifest compliance with the requirements of regulators (eg regulations concerning citizenship, enrolment or Fee-Help applications) the College has no discretion in the application of the rule.

If, however, a rule is unilaterally created by the College (eg, transfer, payment of incidental fees), there may be some room for relaxation in appropriate circumstances (bearing in mind also the rules of natural justice).

**Student Equity** At all times it should be remembered that the prevailing principle in such considerations is student equity. This means that all students must be treated the same way in similar situations unless there are compelling circumstances or reasons to do otherwise in a particular case.

Disappointed students need to understand that the decision is more about equity for the other students (for whom the rule has been enforced) than about them and their peculiar circumstances.

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**Appropriate Circumstances for Relaxation** Appropriate circumstances where strict application of the rules may be relaxed are health, family, extraordinary work/life balance or other circumstances which can be distinguished from all cases in which the rules have been strictly enforced; AND where refusal to relax the rules would result in hardship.

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<b>Category</b>	Academic Policy & Quality	<b>Information Classification</b>	INTERNAL
<b>Policy Owner</b>	Adrian Deans	<b>Last Updated (version)</b>	23 June 2014

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**Appropriate  
Contexts for  
Relaxation**

Contexts or situations appropriate for potential relaxation of the rules include:

- waiver or reduction of transfer or other incidental fees
  - partial reimbursement of overseas student tuition fees upon attainment of permanent residency
  - late enrolment or commencement (some situations)
  - transfer to another Offering or Subject
  - attendance and participation
  - deferral and re-enrolment
  - extensions
  - assessment conditions
  - academic integrity and discipline
  - supplementary assessments
  - special arrangements for assessments or teaching
  - issue of certificates, transcripts or testamurs (some situations)
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**Inappropriate  
Contexts for  
Relaxation**

Contexts or situations not appropriate for potential relaxation of the rules are those imposed by external regulators such as TEQSA, the Dept of Education (Cth) and the various Supreme Court admission agencies. They include:

- eligibility to commence an award program
- early commencement in PLT
- the ESOS National Code and other citizenship rules
- student visas
- enrolment (contractual) conditions
- academic credit
- information required for HEPCAT submissions
- Fee-Help Applications
- CAN letters and any other communications relevant to Fee-Help
- the fairness provisions of the Fee-Help Rules
- tuition assurance requirements

**Director,  
Academic Policy  
& Quality**

In the interests of using corporate knowledge to promote student equity across streams and locations, the Director, Academic Policy & Quality should be involved in appropriate cases to ensure that the application of policy is consistently filtered through one brain.

Where decisions have been made regularly to relax the rules in particular contexts, Programs Directors or their delegates (eg, Manager, Student Services) may make similar decisions where

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circumstances are substantially the same. In all other cases, or where uncertain, the question should be referred to the Director, Academic Policy & Quality who will advise whether the context is appropriate for relaxation and suggest some options for the relevant Program Director.

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**Appropriate  
Records**

In every case, when a student makes a request for relaxation of the strict application of the rules, there must be a record in writing of the decision and the reasons for the decision.

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**Related  
Documents**

[Program Manuals Policy](#)

**Note:**

If there is a related Procedure that your Policy relates to please insert the name of the procedure within the document as a ["hyperlink"](#).

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