

# Applied Law Programs (ALP)

## Program Manual

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## Definitions and abbreviations

In this manual the following definitions and abbreviations are used.

**Academic misconduct** – conduct that the higher education community in Australia would ordinarily regard as dishonest, dishonourable or improper in accordance with the accepted standards of academic integrity in the higher education sector. It includes but is not limited to:

- cheating
- plagiarism in assessable work
- collusion in assessable work
- failure to adhere to the College’s policies and procedures relating to students or to the Assessment Rules (Appendix 2) in such a way as to obtain unfair academic advantage
- tampering or attempting to tamper with examination papers, class work, grades or class records
- impersonation of or by another student or person in an examination or other assessment activity
- use or attempted use of any material or equipment in an examination room, or during any other assessment activity, that is stated not to be permitted either on the examination paper or in the assessment instructions or by a member of College staff
- unauthorised communication or attempted communication with another person during an examination or other assessment activity
- engaging in any other improper academic conduct.

**Accredited Specialist** – a practising solicitor who has been conferred Specialist Accreditation by the relevant Law Society in a particular area of law.

**Admitting authorities** – the board or other body appointed by the Supreme Court in the jurisdiction or jurisdictions relevant to the program a student is undertaking.

**Assessment** – an examination or other assessment task.

**Appeals Committee (AC)** - the committee established to hear appeals from decisions of the Assessment Review Committee, from decisions of the Chief Academic Officer, under clause 4.1.3 and to hear appeals in relation to findings of academic misconduct or unsatisfactory academic conduct. The committee is comprised, from time to time, of:

- the Principal or his or her nominee; as chair
- a lawyer, not being a member of College staff, nominated by the Chair of the Board of Governors
- a senior member of academic staff, nominated by the Chair of the College of Law Academic Board.

**Applied Law Program** – refers to all award courses offered by the College (other than the Practical Legal Training Program) and all Programs of a similar nature to be offered by the College in future related to other areas of legal practice.

**Assessment Review Committee (ARC)** – the committee established to review assessments, grades and eligibility for graduation.

**Census date** – the date after which FEE-HELP assisted students incur a debt to the Commonwealth, and/or the date after which fee paying students can no longer withdraw from a

Program or Subject and receive a refund of tuition fees.

**Cheating** – dishonest conduct, whether in assessable or non-assessable work, and including but not limited to:

- communicating, or attempting to communicate, with another student during an examination
- reading, or attempting to read, another student's examination script
- obtaining, using or distributing unauthorised notes, answers or other material during an examination or other assessment activity
- stealing the work of another student
- unauthorised collaboration in creating an item of coursework
- acting so as to subvert the assessment process or obtain an unfair advantage over other students in the creation or performance of any item of coursework.

**Chief Academic Officer** – the person holding the position of senior academic responsibility reporting directly to the Principal.

**College** – The College of Law Limited trading as The College of Law.

**College Board** – the Board of Governors of The College of Law Limited.

**College of Law Academic Board (COLAB)** – the committee established by the College Board to oversee all curriculum matters, including educational policy, assessment and appeals.

**College premises** – in:

- Australian Capital Territory –the University of Canberra, University Drive, Bruce 2617;
- New South Wales –2 Chandos Street, St Leonards 2065 or Level 16, 111 Elizabeth Street, Sydney 2000;
- Queensland –Level 5, Wesley House, 140 Ann Street, Brisbane 4000;
- South Australia –Level 24, 91 King William St Adelaide SA 5000;
- Victoria –Level 6, 459 Little Collins Street, Melbourne 3000;
- Western Australia –Ground Floor, Durack Centre, 263 Adelaide Terrace, Perth 6000;
- Auckland, New Zealand –Level 8, 3 City Rd, Auckland NZ 1010;

other locations – any location where an onsite component of the Program is conducted.

**College staff** – includes employees and, as appropriate, persons carrying out duties on behalf of the College.

**Collusion** – inciting, assisting, facilitating, concealing or otherwise being involved with another person in an act of unsatisfactory academic conduct, or academic misconduct, whether in assessable or non-assessable work. For example, two students will have colluded when one student provides a copy or draft of an answer to an item of coursework to another student or prospective student in a College program. In addition, a student must not collude with a person who is not a student, such as a lawyer. Collusion does not include authorised collaboration by students in the preparation of an item of coursework. Submission by more than one student of substantially similar items of coursework may be evidence of collusion. Collusion in assessable work may constitute academic misconduct.

**Commercial Litigation Program** – refers to the course conducted by the College leading to the award of the Graduate Diploma of Applied Law (Commercial Litigation).

**Credit (specified)** – means the granting of academic credit for previous study which is deemed to be exactly equivalent to a Subject within an Applied Law Program course. In appropriate cases, this can include core subjects.

**Credit (unspecified)** – means the granting of academic credit for previous study which is deemed to be approximately equivalent to a Subject within an Applied Law Program course. This can only be applied to elective requirements.

**External Appeals Panel** – is the final avenue for appeals at the College, appointed to consider appeals from the AC. The External Appeals Panel consists of two external academics appointed by the Chair of the College Board.

**Family Law Program** – refers to the courses conducted by the College leading to the awards of the Graduate Diploma of Applied Law (Family Law) and Master of Applied Law (Family Law).

**FDRP Program** – refers to the Graduate Diploma of Family Dispute Resolution Practice.

**Graduate Diploma of Legal Practice** – practical legal training (PLT).

**Government & Public Sector Law Program** – refers to the courses conducted by the College leading to the awards of the Graduate Certificate in Applied Law (Government & Public Sector Law) and Graduate Diploma of Applied Law (Government & Public Sector Law).

**In-house Program** – refers to the course conducted by the College leading to the award of the Graduate Diploma of Applied Law (In-house Practice).

**Legal Practice Management Program** – refers to the courses conducted by the College leading to the awards of the Graduate Certificate in Applied Law (Legal Practice Management) and Graduate Diploma of Applied Law (Legal Practice Management).

**Legal professional association** – the law society or institute in the jurisdiction or jurisdictions relevant to the program stream a student is undertaking.

**Major** – a Master of Laws (Applied Law) degree can be awarded with a Major in Commercial Litigation, Commercial Transactions, Family Dispute Resolution Practice, Family Law, In-house Practice, Estate Planning, Dispute Resolution, Property Law, Government and Public Sector Law, Legal Practice Management or Wills & Estates where the requisite subjects (minimum of four) from those Streams are completed.

**Maximum permissible period** – the longest permissible period a student may remain enrolled in a Program, without completing the Program.

**Plagiarism** – whether in assessable or non-assessable work, the passing off by a student of someone else's work as their own, whether intentionally or not. It includes but is not limited to the copying, summarising or use of someone else's work or ideas without acknowledgment in any item of coursework, whether in whole or in part and whether assessable or not. Plagiarism in assessable work may constitute academic misconduct.

**Practicum** – students in the FDRP Program are required to undertake approved client contact in accordance with the Practicum Rules (see Appendix 5).

**Practicum Rules** – the rules, which define and delimit the client contact practicum which students in the FDRP Program are required to undertake (see Appendix 5).

**Prescribed Core Subjects** – those Subjects outlined in Appendix 6 of this manual.

**Principal** - the CEO and principal academic officer of the College, responsible to the College Board for implementing the decisions of the Board.

**Program** – a course of study within the Applied Law Program.

**Program Director** – the Director, Practitioner Education, responsible to the Chief Academic Officer, the Principal and the College Board for the implementation, conduct and assessment of Applied Law Programs.

**Stream** – Subjects within a discrete area of legal practice in which it is possible to study for a Major.

**Student** – a person enrolled in a Subject within any Applied Law Program.

**Student Liaison Officer** – a member of the College academic or executive staff, whose role is to give students guidance in the conduct of complaints and disputes.

**Subject** – a discrete subject within any Applied Law Program, subject can be offered on an online basis or intensive basis.

**Unsatisfactory academic conduct** – conduct in the Program, including collusion and plagiarism, not amounting to academic misconduct within the College definition but unsatisfactory in relation to Program objectives and requirements.

**Wills and Estates Program** – refers to the course conducted by the College leading to the award of the Graduate Diploma of Applied Law (Wills and Estates).



## Background Information

Most of the policies in this manual mirror the policies applicable to the Practical Legal Training Program contained in the College's Practical Legal Training Program Manual. The Practical Legal Training Program is the College of Law's program leading to admission as a legal practitioner.

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## The Contractual Relationship between the College and the Student

### 1. Policies and Procedures relating to Students

#### 1.1 Enrolment and re-enrolment

1. Except where otherwise provided for by the College, an application for enrolment must be made in accordance with the policy and procedures of the College.
2. At the time of enrolment in your Program you must provide to the College a transcript (original or certified copy) of your academic results. Failure to meet the requirements of this paragraph will, in addition to any other consequences relating to student non-compliance with College policies and procedures, prevent or delay enrolment.
3. Unless the Program Director approves your application to enrol, the College will not accept you into a Program if you, on the first day of the Program, have not satisfied all the requirements of a law qualification which is a prerequisite for admission to the Program. See Appendix 3.
4. You must complete and lodge an application for enrolment before the last day to enrol as specified, unless you have been granted permission by the College to submit a late application for enrolment.
5. You must pay the tuition fee in entirety or may submit a Request for FEE-HELP Loan form upon enrolment.
6. You are deemed to be enrolled in the Program nominated on your current application for enrolment form, subject to any variations the College may later approve.
7. You are deemed to be a student of the College while you are yet to complete the Program in which you were last enrolled and the Maximum Permissible Period is yet to expire.
8. You will cease to be a student of the College if:
  - you withdraw from a Program
  - you abandon or are excluded from a Program, or
  - your enrolment in a Program or participation in a Program is otherwise withdrawn or terminated in accordance with College policies and procedures.
9. You are taken to have abandoned the Program if you have not completed the Program requirements and the Maximum Permissible Period has expired.

## 1.2 Tuition fees and refunds

### 1.2.1 FEE-HELP students

FEE-HELP is a Commonwealth loan scheme available to eligible students (see 8 below) to pay tuition fees for approved courses of study. All College award Programs are approved courses for FEE-HELP. Students wishing to access FEE-HELP loans should download the relevant information from the Study Assist website at: <http://studyassist.gov.au>.

1. At the time of your application for enrolment in a Program or Subject, you must submit a completed Request for a FEE-HELP Loan form with your application for enrolment form. You do not need to submit another Request for FEE-HELP Loan form for subsequent Subjects unless you change Programs.
2. If your application is accepted, you will be eligible to commence the Program or Subject without paying any tuition fees directly to the College.
3. Subject to (4), FEE-HELP students may withdraw from the Program or Subject on, or prior to, the Census Date without incurring a Commonwealth debt.
4. After the Census Date, a student becomes liable to repay the tuition fee via the tax system once they attain the relevant income level. (For more information see the FEE-HELP information booklet published by Department of Education and Training or download the relevant information from the Study Assist website at: <http://studyassist.gov.au> ).
5. After the Census Date, the student's liability to the Commonwealth cannot be forgiven except in accordance with the College's Review Procedures (see Appendix 4).
7. All applications for withdrawals, transfers or refunds should be made in writing to the Manager, Client Services.
8. Eligible students are:
  - Australians citizens or New Zealand Special Category Visa holders who meet the long-term residency criteria and who will undertake, in Australia, at least one unit of study contributing to the course;
  - permanent humanitarian visa holders who will be resident in Australia for the duration of the unit;
  - permanent visa holders who are undertaking [bridging study for overseas-trained professionals](#), and will be resident in Australia for the duration of the study.

Eligible students must also:

- be enrolled in an eligible unit of study by the census date for that unit; and
- have not exceeded the FEE-HELP limit.

For the purposes of eligibility, “permanent residents” or “citizens” must have the appropriate certificate or visa. The College will not accept Fee-Help applications from people who are not citizens or appropriate visa holders at the time of application.

9. FEE-HELP loans are not available for enrolment on a non-award basis, unless undertaking prescribed Subjects for admission as Legal Practitioner.

### **1.2.2 Fee paying students**

Students paying full fees up front each intake for the Subjects in which they enroll:

1. At the time of your application for enrolment in a Program or Subject, you must pay the advertised tuition fee to secure your place. If your application is refused, this money will be returned in full.
2. Subject to (4) fee paying students may withdraw from the Subject on, or prior to, the Census Date and receive a refund of the tuition fee.
3. After the Census Date, there is no entitlement to a refund except in accordance with the College's Review Procedures. (See Appendix 4).
5. All applications for withdrawals, transfers or refunds should be made in writing to the Manager, Client Services.
6. The College may withhold your results if you owe any money to the College or have not returned any property of the College.
7. Nothing in these rules removes the right to take further action under Australia's consumer protection laws.

## **1.3 Academic Credit, Withdrawal, Readmission and Transfer**

### **1.3.1 General principles**

1. Entry to the College's accredited courses is based on specific published entry criteria and decisions regarding student selection will be in accordance with the Admissions Policy contained in the Program Manual.
2. The assessment of the amount of Credit to be granted in particular courses shall be determined by the Program Director within the framework of this policy.
3. Regardless of the Credit granted, the requirements of each course must be fulfilled.
4. Credit can be given in the form of specified or unspecified Credit.
5. Candidates for an award from the College are required to complete a minimum amount of the course through the College. The total Credit granted for prior learning shall not exceed 50% of the total credit points required for the award toward which Credit is sought.

### **1.3.2 Acceptable documents for enrolment**

In order to be enrolled in a College Award Program you must be a graduate in law or equivalent unless otherwise permitted to enrol pursuant to the College's eligibility criteria (see Selection Procedures, Appendix 3).

The College requires evidence of your academic qualifications and for enrolment purposes will accept:

- An original academic transcript from the student's university conferring the degree; or
- An original testamur from the student's university; or

- An original letter from the Dean of the Law School certifying the completion of the law qualification; or
- A scanned, coloured copy, which has been certified as a true copy by an authorised person under the Oaths Act in the relevant state, of the student's academic transcript from the university conferring their degree; or
- A scanned, coloured copy, which has been certified as a true copy by an authorised person under the Oaths Act in the relevant state of the student's testamur from the university conferring their degree; or
- A scanned, coloured copy, which has been certified as a true copy by an authorised person under the Oaths Act in the relevant state, of the letter from the Dean of the Law School certifying the completion of the law qualification,

If the student provides a scanned academic transcript or testamur, the College employee is able to check the qualifications with the university, using the university verification service websites. If the verification confirms the degree the College employee must attach this confirmation to the student's file.

If an Applied Law Program student has provided any of the above requirements for completion of the College of Law's PLT Program the student will not be required to provide further evidence of the law qualification.

### **1.3.3 Credit for formal, informal and non-formal studies**

1. Credit will not normally be granted for formal study completed more than ten years (unless specified otherwise) prior to application unless there is evidence of continued relevance of this study for the course towards which Credit is sought.
2. Credit may be granted for the successful completion of:
  - a. subjects which form part of an accredited course provided by a recognised higher education institution;
  - b. non-award courses offered by a recognised higher education institution;
  - c. accredited courses offered by a vocational training provider;
  - d. courses provided by a professional association or other similar body;
  - e. training delivered by employers or other similar training (eg, Articles Training; Supervised Workplace Training) where there is clear evidence of targeted learning outcomes equivalent with the learning outcomes of a higher education award.
3. Credit shall be granted where there is substantial overlap with content and/or learning outcomes of the College's subject for which Credit is claimed.
4. When assessing Credit for formal learning the following will be taken into account:
  - a. the general educational practices and standards of the provider(s) or any accreditation obtained by such provider that may be relevant to the course under consideration;
  - b. the objectives of the particular course and the methods adopted to achieve those objectives;
  - c. admission requirements to the course;
  - d. the duration of the course, having regard to entry requirements and course objectives;
  - e. the breadth, depth and balance in the course material involved and the

- intellectual effort required;
  - f. the methods of assessment;
  - g. the relative emphasis on the teaching of skills in relation to the study of the discipline; and
  - h. any arrangements for practical training and experience as part of the course.
5. When assessing Credit for informal or non-formal learning the following will be taken into account:
- a. the general educational practices and standards of the provider(s) that may be relevant to the College Program for which credit is claimed;
  - b. the objectives of the particular course or learning activity and the methods adopted to achieve those objectives;
  - c. admission requirements to the course or learning activity;
  - d. the duration of the course or learning activity, in comparison with the duration of equivalent formal studies;
  - e. entry requirements in comparison with equivalent formal studies;
  - f. the breadth, depth and balance in the course or learning activity and the intellectual effort required;
  - g. the methods of assessment;
  - h. the relative emphasis on the teaching of skills in relation to the study of the discipline; and
  - i. any arrangements for practical training and experience as part of the course or learning activity.
6. Credit for informal or non-formal learning will not be given as specified Credit for core subjects.
7. Any form of informal or non-formal Credit approved for the first time must be ratified by the College's Academic Board, but subsequent similar applications may be approved by the Program Director without reference to the Academic Board.
8. The Program Director will report twice per annum to the Academic Board on all aspects of the award and non-award of academic Credit for the previous six months.

#### **1.3.4 Articulation**

- 1. The College regards all its postgraduate award teaching to be at AQF level 9 with Graduate Diplomas distinguished from Masters Degrees on the basis of volume rather than level of learning.
- 2. Graduate Diplomas nested within the Applied Law Program are equivalent to four subjects.
- 3. Graduate Certificates nested within the Applied Law Program are equivalent to two subjects.

#### **1.3.5 Internal transfer between courses**

- 1. Credit granted in accordance with this policy is fully transferable between Applied Law Programs, with the exception that only specified Credit can be obtained towards the requisite Subjects necessary for an award in the Family Law Program.

2. As well as Credit for recognised prior learning, Credit may be granted when a student has completed subjects while undertaking a Program with the College and wishes to transfer to another course within the College.
3. The maximum Credit that can be granted pursuant to clause 1.3.5 is not limited.

### **1.3.6 Applications for Credit**

An application for Credit based on prior learning must be made at the time of application for admission to a Program. The application should be accompanied by sufficient documentary evidence to support the application.

Assessment of the application will be undertaken by the Program Director who will advise the applicant in writing of the result of their application. A record of any Credit granted (including any reasons for not giving Credit) will be placed on the student's file.

Students dissatisfied with a decision of the Program Director in relation to the granting of Credit may appeal that decision in accordance with the Complaints & Disputes procedure in the Program Manual.

#### **Credit on the basis of Graduate Diploma of Legal Practice (PLT)**

Students enrolling in a Masters' program may be awarded 2 unspecified Credits where they have successfully completed the College's Graduate Diploma of Legal Practice or the College's New Zealand Professional Legal Studies Course provided the student completes all other requirements.

Credit for the Graduate Diploma of Legal Practice is not available in the FDRP Program, nor for any award less than a Masters Degree.

Where students have completed a Graduate Diploma of Legal Practice at another provider, one subject unspecified credit towards the Masters Degree will be granted.

#### **Credit on the basis of completion of Graduate Diploma of Applied Law at the College of Law**

If a student graduates with a College Graduate Diploma of Applied Law, the student (with the exception of non-law graduate candidates), may apply to proceed to a higher award at any time and be granted credit for the subjects already completed.

If a student has already had conferred a lesser award, the student may apply to proceed to a higher award with full credit for the lesser award, but must surrender the lesser award before the higher award can be conferred.

#### **Credit on the basis of completion of Graduate Diploma of Family Dispute Resolution Practice**

### **College graduates of the Graduate Diploma of Family Dispute Resolution Practice program**

Graduates of the College's Graduate Diploma of Family Dispute Resolution Practice program (FDRP) may receive credit towards Master of Laws (Applied Law) and Master of Applied Law (Family Law) (subject to meeting entry requirements). College FDRP graduates, who commenced the FDRP prior to 2018 and who are currently accredited family dispute resolution practitioners, may receive four subjects specified credit towards the Master of Laws (Applied Law).

If the applicant is **not** currently accredited as family dispute resolution practitioner under the *Family Law (Family Dispute Resolution Practitioners) Regulations 2008*, only three subjects specified credit may be granted. These applicants must complete FDR4 – Case Management in Family Dispute Resolution Capstone if they wish to graduate with a Family Dispute Resolution Practice Major. Applicants who have completed College’s FDRP and are seeking to enrol in the Master of Applied Law (Family Law), may receive two subjects credit:

- i) specified credit for FLP14 – Family Dispute Resolution; and
- ii) one unspecified credit.

### **Graduates other than College FDRP graduates**

Applicants who have completed a Graduate Diploma of Family Dispute Resolution Practice or an equivalent course with another provider and who hold current accreditation as a family dispute resolution practitioner, may receive three subjects specified credit towards a Master of Laws (Applied Law). These applicants must complete FDR4 - Case Management in Family Dispute Resolution Capstone if they wish to graduate with the Family Dispute Resolution Practice Major.

Students who received credit towards a Master of Laws (Applied Law) under this clause, are precluded from enrolling in DRP4 – Mediation, for the purposes of counting this subject towards the total subject requirement.

Applicants who completed a Graduate Diploma of Family Dispute Resolution Practice course or equivalent at another provider and who are seeking to enrol in the Master of Applied Law (Family Law) may receive one subject specified credit for FLP14 – Family Dispute Resolution.

The maximum credit that can be approved from all sources cannot be more than 50% of the total requirements for the Masters degree.

### **Nationally Accredited Mediators**

Applicants that hold current NMAS accreditation, may apply for one subject specified Credit for the DRP4 – Mediation subject.

### **Accredited Specialists**

Accredited Specialists in a particular area of law may apply for Credit on the basis of their specialist accreditation as follows:

- (i) one Subject specified Credit towards a Capstone Project in the practice area in which the applicant is an Accredited Specialist and one subject specified Credit for a foundation subject in the practice area in which the student is an Accredited Specialist; or
- (ii) one subject unspecified credit if the accredited specialisation is not in the same area as the Major.

### **Credit on the basis of completion of Legal Practice Management Course**

Applicants who have completed the Legal Practice Management Course (LPMC) at the College of Law Western Australia or College of Law Queensland less than five years prior to the application are entitled to one subject specified credit for LPM1 – Foundations of Legal Practice Management.

In order to apply for specified credit for LPM1 – Foundations of Legal Practice Management on the

basis of completion of Legal Practice Management Course at the College of Law in NSW, applicants are required to demonstrate/provide the following:

- successful completion of the Legal Practice Management Course at the College of Law in NSW within the last five years prior to application;
- evidence that the applicant holds a current practising certificate authorising them to practise as a principal of a law practice; and
- a one page memo to the Practice Leader, Legal Business Development, outlining how the completion of a Legal Practice Management Course and the applicant's experience, cover at least one of the following learning objectives of LPM1 – Foundations of Legal Practice Management subject:
  - use analytical and problem-solving skills to apply principles of strategic and business planning to a law practice
  - demonstrate an advanced and integrated understanding of matters of financial management, such as pricing models, leverage, financial indicators and benchmarks
  - identify, analyse, and explain how to manage risk through systems, and
  - demonstrate advanced and integrated understandings of people management, including staff and clients.

The applications will be reviewed by the Practice Leader, Legal Business Development Applicants will be notified within two weeks of the lodgement of application, whether the application for Recognition of Prior Learning has been approved.

Applicants who have completed a practice management course at another provider are not eligible to receive this credit.

### **Postgraduate studies in law**

Applications for recognition of prior learning on the basis of postgraduate studies will be considered by the Program Director. The Program Director will determine what type of credit will be granted if any. Students that have completed a Master of Laws may receive up to two subjects unspecified credit.

### ***Credit towards the Graduate Diploma of Family Dispute Resolution Practice (FDRP) or Master of Laws (Applied Law) majoring in Family Dispute Resolution Practice***

#### **Nationally Accredited Mediators**

Applicants who hold a current NMAS accreditation, can apply for specified credit for FDR1 – Family Law and Mediation.

#### **Completion of Mediation subject from the Master of Laws (Applied Law)**

Students who have completed the DRP4 - Mediation subject from the Master of Laws

(Applied Law) award are eligible to receive specified credit for FDR1 – Family Law and Mediation.

#### **Other studies**

The Graduate Diploma of Family Dispute Resolution award only consists of core subjects



and practicum. No unspecified credit can be granted towards this award. Applications for recognition of prior learning on the basis of other studies may be considered by the Program Director for the purposes of determining if any specified credit can be granted.

Master of Laws (Applied Law) majoring in Family Dispute Resolution Practice consists of four core subjects, practicum and four elective subjects. Unspecified credit may be granted towards the elective subjects. Applications for recognition of prior learning on the basis of other studies may be considered by the Program Director for the purposes of determining if any specified credit can be granted towards the core subjects of the major or any unspecified credit can be granted towards the elective subjects of this award.

### **1.3.7 Academic Credit for work done**

If you withdraw from a Program you may apply to the Program Director in writing for Credit for any Subject completed before your withdrawal. Credit will only be given for whole Subjects for any subsequent College enrolment.

### **1.3.8 Re-admission to the College**

If you:

- withdraw from
- abandon
- have been excluded from, or
- had your enrolment terminated in

the Program, and you wish to be readmitted, you must apply to the College and be selected for admission in the same way as persons who have not previously been students of the College. You must pay all fees for the Program in which you seek readmission.

### **1.3.9 Abandonment and Leave of Absence**

Notwithstanding the Maximum Permissible Period, you are regarded as having abandoned the Program if you miss more than four consecutive intakes without successfully applying for a Leave of Absence.

A Leave of Absence is a period during which the Maximum Permissible Period is suspended.

To make a Leave of Absence application, students must contact the College on [alp@collaw.edu.au](mailto:alp@collaw.edu.au), requesting a Leave of Absence specifying the grounds of their application and the period for which they are seeking the Leave of Absence.

A student must apply for a Leave of Absence before the commencement of the intake, for a maximum of 12 months. Such applications may be granted by the Program Director and all such applications must be accompanied by supporting documents (where applicable).

A Leave of Absence does not affect any other status with regard to Census Dates or rights of Withdrawal.

### **1.3.10 Transfer between Subjects or Intakes**

You may apply to transfer from one Subject to another within:

- (i) 14 calendar days from the start of the online intake based Subject; or

- (ii) 7 calendar days from the start of the intensive based Subject.

Applications for transfer between Subjects should be made, in writing, to the Manager, Client Services.

### **1.3.11 Deferral**

You may apply to defer from a Subject without academic penalty if you have grounds of hardship (eg, medical hardship) and your application is received by the Deferral Date, which is:

- (i) 14 calendar days after the Census Date for an online intake based subject; or
- (ii) 7 calendar days after the Census Date for an Intensive Subject and FDRP program subjects.

In such circumstances, the College will allow you a credit of the fees paid for the Subject, to be used within the next 12 months.

This credit can only be used once. There is no second Census Date or Deferral Date that is applicable to this second Subject payment. This means that once you use this credit, you must complete the Subject.

Students can request to defer to another intake by sending an email to the Client Services team on [alp@collaw.edu.au](mailto:alp@collaw.edu.au) outlining their grounds. The applications will then be considered by the Client Services Manager. Any applications that are received after the applicable deadline referred to above, will be rejected.

Students deferring, will commence the Subject anew and be expected to undertake all coursework in the Subject in accordance with the timetable.

FEE-HELP students who defer do not have any right to a re-crediting of their FEE-HELP balance except as provided for under the Review Procedures (Appendix 4).

FEE-HELP students who defer do not have the option of withdrawing with a refund, or without incurring a Commonwealth debt, under 1.2 of this Program Manual.

### **1.3.12 Withdrawal**

#### ***Fee paying students***

If you wish to withdraw from a Subject, you must immediately notify the Program Director in writing stating the circumstances. If you notify the Program Director on or before the Census Date of the relevant Subject from which you wish to withdraw you will receive a refund of the tuition fee. If you notify the Program Director after the Census Date, you will no longer be entitled to a refund except at the discretion of the College. In exercising that discretion, the College will apply the same criteria as apply to applications for review by FEE-HELP students under the Review Procedures (see Appendix 4).

#### ***FEE-HELP students***

If you wish to withdraw from a Subject, you must immediately notify the Program Director in writing stating the circumstances. In all cases the date of receipt by the College of any letter or email will be taken as the date of notification.

If you withdraw on or before the Census Date of the relevant Subject you will not incur a debt

to the Commonwealth and your FEE-HELP entitlement will be re-credited.

If you withdraw after the Census Date you will still incur a debt to the Commonwealth of the full tuition fee. In certain circumstances, the College may allow an application to preclude the incurring of a debt (see Review Procedures).

### **1.3.13 Articulation pathway**

The articulation pathway is the pathway that enables students to complete individual modules from a specific Subject over time, building to completion of the entire Subject.

To complete the pathway, students are required to successfully complete 6 modules from a single Subject and successfully complete the Assessment Module for that Subject. Once students enrol in the Assessment Module, they are automatically enrolled in the Masters program and agree to rules set out in the ALP Program Manual and all other Terms and Conditions. On completion of the Assessment Module, the total mark and grade for the module will be recorded as a mark for the whole of the Subject.

#### **Timeframe for completion of Subjects via articulation pathway**

A Subject's 6 modules and its associated Assessment Module must be successfully completed within 24 months from enrolment in the first module.

#### **Entry requirements**

All applicants wishing to articulate into the Masters program via the articulation pathway, must satisfy the entry requirements.

Upon application for enrolment in the Assessment Module, applicants must provide evidence of a law degree or equivalent, which meets the academic requirements for admission to practice as a legal practitioner in an Australian jurisdiction as outlined in paragraph 2.2.1 of the ALP Program Manual.

#### **Maximum Permissible Period**

The Maximum Permissible Period for completion of a Masters or Graduate Diploma award (see 2.2.3 of the ALP Program Manual), applies to applicants enrolled in the Assessment Module from the start date of the Assessment Module.

#### **Maximum number of subjects to be completed via articulation pathway**

Applicants may complete a maximum of two subjects via the articulation pathway. All other subjects required for graduation with a Masters or Graduate Diploma, must be successfully completed during the standard academic intake.

## Program Requirements, Assessment and Administration

### 2. Applied Law Programs

#### 2.1 Introduction

The Applied Law Programs offered by the College of Law concentrate on particular areas of legal practice with a view to improving skills and knowledge within those fields. The Programs are primarily undertaken online, but some subjects are offered in intensive mode and include some face-to-face components in order to reinforce the online learning with practical application.

#### 2.2 Program Structure

The Family Law Program includes the awards Master of Applied Law (Family Law) and Graduate Diploma of Applied Law (Family Law) (see Appendix 6).

It is not necessary to pursue a Major for the Master of Laws (Applied Law) award. Students may elect to study any eight Applied Law Subjects one of which must be the Major Project.

All students are regarded as being enrolled in the full Program, leading to the Master of Laws (Applied Law) award (eight Subjects). Students may choose to exit early with a Graduate Diploma of Applied Law (four Subjects), Graduate Certificate in Applied Law (two Subjects) or Graduate Diploma of Family Dispute Resolution Practice, if they have satisfied the requirements for any of the Graduate Diplomas or Graduate Certificates.

<b>i. Graduate Certificate in Applied Law</b>
<p>The Graduate Certificate consists of one core subject and one elective. Please refer to Appendix 6 for the course requirements and available Majors. The minimum time for completion is one intake (see 2.2.3).</p>
<b>ii. Graduate Diploma of Applied Law</b>
<p>The Graduate Diploma consists of four subjects. Please refer to Appendix 6 for the course requirements and available subject areas. The minimum time for completion is two intakes (see 2.2.3).</p>
<b>iii. Masters Degrees</b>
<p>Master of Laws (Applied Law) and Master of Applied Law (Family Law) each consist of eight Subjects. Please refer to Appendix 6 for the course requirements. The minimum time for completion is three intakes (see 2.2.3).</p>
<b>iv. Graduate Diploma of Family Dispute Resolution Practice and Master of Laws (Applied Law) majoring in Family Dispute Resolution Practice</b>

This Graduate Diploma or Family Dispute Resolution Practice major consists of four core subjects specifically prescribed by Attorney-General's Department for eligibility to practise as a FDR practitioner.

In order to successfully complete this award or satisfy the requirements of the major, students must complete the Prescribed Core Subjects in order and practicum undertaken in accordance with the Practicum Rules.

Please refer to Appendix 6 for the course requirements.

The minimum time for completion is two intakes for the Graduate Diploma (see 2.2.3).

### **2.2.1 Eligibility for Admission to an Award Program**

To be admitted to any of the Applied Law award Programs, students are required to have a law degree, or equivalent, which would meet the academic requirements for admission to practise as a legal practitioner in an Australian jurisdiction. As documentary evidence of their law degree, they must submit originals or certified copies of their academic transcript or graduation testamur (see 1.3.2).

In addition, enrolment in single Subjects on a non-award basis is permitted, for which no previous qualifications are necessary.

#### **In-house Practice Program – Applicants without legal qualifications**

Applicants for admission to the Graduate Diploma of In-house Practice (the In-house Program) should normally hold a degree in law or equivalent qualification approved by a Supreme Court for admission as a lawyer. The reason for this is that the In-house Program assumes, and builds upon, a requisite minimum knowledge of law and legal systems and practical experience in a business or government context. However, given the diverse nature of In-house practice and practitioners, it is possible in appropriate cases to enter the Program without first having obtained a law degree.

The College recognises that there may be candidates, without legal qualifications, who might nevertheless be capable of undertaking, and benefiting from, the In-house Program. Accordingly, applicants without legal qualifications may be considered for entry to the In-house Program where they can provide evidence that they:

- hold a bachelor's degree (or higher)
- have substantial experience of working in a quasi-legal capacity, and
- are able to demonstrate a working knowledge of law and legal systems.

Applicants should include a letter with their application, addressed to the Program Director, explaining why they wish to undertake the In-house Program and which provides the following information:

- Name(s) of employer(s) and position(s) held
- Duration of employment
- A description of the practice or business, and
- A description of the quasi-legal tasks undertaken by the applicant.

Applicants should also include a reference from a lawyer, who holds a current practising certificate, stating that, in the opinion of the referee, the applicant has the requisite knowledge and experience to benefit from the In-house Program.

If, on the basis of the documentation, the applicant is considered to be a viable candidate, the applicant will then be interviewed by a member of College academic staff and a member of the Academic Board. A report will be prepared and a determination will be made by the Chair of the Academic Board as to whether the applicant may commence the In-house Program.

Applicants who perform adequately toward the Graduate Diploma will be allowed to proceed to the Masters Degree with a Major in In-house Practice.

### ***Graduate Diploma of Applied Law (Legal Practice Management) and Graduate Certificate in Applied Law (Legal Practice Management)***

Applicants for admission to the Graduate Diploma of Applied Law (Legal Practice Management) and Graduate Certificate in Applied Law (Legal Practice Management) must hold an undergraduate degree the evidence of which must be provided at the time of enrolment.

### ***FDRP Program – Entry requirements***

The primary discipline within the Program is mediation, supported by aspects of psychology and sociology. Relevant law is included but this is not abstract legal principles building upon concepts learned at undergraduate level. A high proportion of students enrolled in similar courses elsewhere are not lawyers, and a high proportion of existing Family Dispute Resolution practitioners are not lawyers.

Applicants for admission to the Graduate Diploma of Family Dispute Resolution Practice (the FDRP Program) must hold an appropriate qualification that is deemed eligible under the Australian Government's training package CHC81115 Graduate Diploma of Family Dispute Resolution, which is a pre-requisite to gaining registration as a family dispute resolution practitioner (FDRP).

Appropriate qualifications for the purposes of the FDRP Program entry requirements include:

- An undergraduate degree or higher qualification in Psychology, Social Work, Law, Conflict Management, Dispute Resolution, Family Law Mediation or equivalent; or
- Current accreditation under the National Mediator Accreditation Scheme (NMAS); or
- Current holder of the Mediation skill set from the Community Services Training Package (CHC).

Applicants who do not hold an appropriate qualification may be eligible for admission to the FDRP Program on the basis of previous experience in a dispute resolution environment, in a job role involving the self-directed application of knowledge with substantial depth in some areas, exercise of independent judgment and decision making, and a range of technical and other skills. Such applicants must include a letter with their application, addressed to the Program Director, explaining why they wish to undertake the FDRP Program and provide the following information by no later than two weeks before the start of FDR1 – Family Law and Mediation subject:

- Name(s) of employer(s) and position(s) held
- Duration of employment

- A description of the practice or business, and
- A description of relevant tasks undertaken by the applicant.

If, on the basis of the submitted documentation, the applicant is considered to be a suitable candidate, the applicant will then be interviewed by a member of College academic staff and a report will be prepared for the Chair of the Academic Board. A determination will be made by the Chair of the Academic Board as to whether the applicant may commence the FDRP Program.

Entry requirements for the Master of Laws (Applied Law) majoring in Family Dispute Resolution Practice are the same as for any other Major. Students are required to have a law degree, or equivalent, which would meet the academic requirements for admission to practise as a legal practitioner in an Australian jurisdiction.

### **2.2.2 Academic year**

The Applied Law Programs run over four intakes a year.

### **2.2.3 Course Requirements**

The following table shows credit points, minimum full time Program durations and Maximum Permissible Periods for each award. Students commencing a Masters Degree prior to 2016, may complete the award having successfully completed seven subjects (63 credit points). From 2016, all commencing students must successfully complete eight subjects (72 credit points).

<b>Award</b>	<b>Credit Points</b>	<b>Minimum Duration – FT</b>	<b>Maximum Duration</b>
Graduate Certificate (ALP)	18 (2 x 9)	Minimum duration is one intake.	Maximum Permissible Period is 2 years from commencement.
Graduate Diploma (ALP)	36 (4 x 9)	Minimum duration is two intakes.	Maximum Permissible Period is 4 years from commencement.
Masters Degree*	72 (8 x 9)	Minimum duration is three intakes.	Maximum Permissible Period is 5 years from commencement.
Graduate Diploma (FDRP)	36 (4 x 9)	Minimum duration is two 12 week intakes in part intensive mode, plus a 20 hour Practicum.	Maximum Permissible Period is 4 years from commencement.

\* Students commencing prior to 2016 may complete with seven subjects (63 credit points).

It is possible to apply for extra time in appropriate circumstances. Such applications must be in writing to the Program Director and be supported by documentary evidence of the grounds relied upon.

### **FDRP Program – Practicum**

As prescribed by training package CHC 81115 in order to successfully complete the Graduate Diploma of Family Dispute Resolution Practice or satisfy the requirements of the

Family Dispute Resolution Practice major as part of the Master of Laws (Applied Law), students must complete 50 hours practicum. Those students who enrol from 2018 will automatically cover 30 hours of practicum by completing the four core subjects. Please refer to Practicum Rules in Appendix 5 of the Program Manual for more information.

#### **2.2.4 Subject Enrolment**

The table at 2.2.3 shows minimum full time duration for each award, but students do not enrol as either “full time” or “part time” students. Three Subjects per intake is regarded as a full time load and the College regards anything less than a full time load as part time.

Unless a student indicates otherwise (or in the cases of non-law graduate candidates for the In-house Program or FDRP Program), all students are regarded as being enrolled for the Masters degree, however the student may apply to exit with a lesser award once the course requirements for that lesser award have been met.

If a student graduates with a Graduate Diploma of Applied Law or, from 2018, graduates with a Graduate Diploma of Family Dispute Resolution Practice, they (with the exception of non-law graduate candidates), may apply to proceed to a higher award at any time and be granted credit for the subjects already completed. If a student has already had conferred a lesser award, the student may apply to proceed to a higher award with full credit for the lesser award, but must surrender the lesser award before the higher award can be conferred.

Enrolment in single Subjects on a non-award basis is permitted, however access to Fee-HELP loans to pay tuition fees is not available.

#### **2.2.5 Program sequence**

Master of Laws (Applied Law) majoring in Family Dispute Resolution Practice and Graduate Diploma of Family Dispute Resolution Practice have prerequisite subjects. Students must successfully complete the subjects in the order prescribed. Please refer to Appendix 6.

#### **2.2.6 Graduation with a Major**

Masters students wishing to graduate with a Major must take at least four subjects (including the Capstone Project) from the relevant Stream. .

#### **2.2.7 Major Project and Capstone Project Subjects**

From August 2014, all newly enrolling students proceeding to the Masters Degree will be required to successfully complete at least one of either Major Project or Capstone Project.

##### **Capstone Project**

1. Students must successfully complete at least three subjects in their Major prior to starting the Capstone subject.
2. Students wishing to graduate with a Graduate Diploma may take the Capstone subject as the fourth (or final) subject.
3. Where a student has elected to complete a double Major, a Capstone is only required in one Major.

##### **Major Project**



1. Students who are enrolled in the Master of Laws (Applied Law) without a major must undertake the Major Project.
2. The Major Project must be successfully completed in one of the Steams offered by the College of Law Masters.
3. Students must submit a one page synopsis at least two weeks before the enrolby date, as specified.
4. The synopsis will be assessed by the supervising lecturer for approval or feedback.
5. Once the synopsis is approved, the student will be formally enrolled in the Major Project.

### **2.2.8 Double Majors**

Students may apply for one specified Credit per Major. Unspecified Credits will not count towards the Double Major.

Students must declare the Double Major during the course of their study. Students who complete their LLM degree cannot return to complete the Double Major, they must start a new Program.

Students in the Masters of Applied Law (Family Law) Program are eligible to complete a Double Major if they transfer their enrolment to the Master of Laws (Applied Law) Program and complete four subjects of a new Major sequence area.

*Double Major example: Student wishes to Double Major in Wills and Estates and Property*

- *Wills & Estates subjects:*
  - *WEP 1: Foundations of Wills & Estates*
  - *WEP 3: Construing and Drafting Wills*
  - *WEP 4: Family Provision*
  - *Capstone: (Wills and Estates)*
- *Property subjects:*
  - *Prop 1: Foundations of Property Law*
  - *Prop 2: Buying and Selling Real Property*
  - *Prop 3: Commercial Leasing, Contracts & Transactions*
  - *Specified Credit or fourth property subject*

### **2.2.9 FDRP Transition**

#### **Transition from the training package CHC80308 to the training package CHC81115**

Students who complete the coursework component (four subjects)

- Students who have successfully completed the coursework component (four subjects) of training package CHC80308 must complete their 10 hour practicum component by 31 May 2017.
- As training package CHC80308 will no longer be offered after 31 May 2017, students who do not successfully complete training package CHC80308, will need to transition to the new training package.

- The new training package has amended units of competency. This means that these transitioning students will need to complete the subject FDR4 – Case Management in Family Dispute Resolution Capstone, in order to cover these amended units of competency. This subject will also provide 30 hours of the 50 hours practicum requirement, which will mean that students only need to complete 20 hours of practicum externally. Completion of FDR4 – Case Management in Family Dispute Resolution Capstone is compulsory for the purposes of transition to the new training package.

#### Students who have completed the FDRP1 – Mediation Subject, only

- Students who have successfully completed FDRP1 – Mediation, are able to continue with the rest of the coursework in the new training package. They must successfully complete the following subjects plus 20 hours of practicum:
  - FDR2 – Children’s Matters, Family Law and Family Dispute Resolution;
  - FDR3 – Advanced Family Dispute Resolution; and
  - FDR4 – Case Management in Family Dispute Resolution Capstone.

#### Students who have completed two or three subjects of the coursework component

Any students who have successfully completed two or more subjects out of the four, are required to complete the remaining subjects by 7 June 2017 and then also complete College’s FDRP5 – Clinical Case Management subject, in order to cover the amended units of competency that would not have been covered by a subject(s) from the old training package.

Completion of FDRP5-Clinical Case Management is compulsory for the purposes of transition to the new training package.

After 7 June 2017, students will be required to complete all the subjects again except for FDRP1 - Mediation.

## **2.3 Attendance and participation (see also Assessment Rules)**

### **2.3.1 Attendance and participation requirements**

The activities for each Subject are set out in the materials, study guides and in the timetable.

You must fully and actively participate in the Program: see Assessment Rules, rule 2, in Appendix 2 of this manual. Your participation may not satisfy the College’s requirements, if you:

- are absent from scheduled workshop sessions or web conferences
- arrive late/depart early
- do not actively participate in group discussions or other activities
- in relation to written work or other activities (whether these are required to be submitted for assessment or not):
  - do not complete them
  - consistently complete and submit them later than the due dates
  - submit several items shortly before the assessment date
  - the work is not your own, or
  - do not access learning resources or undertake exercises or activities as

described in the study guides – not doing so may be taken into consideration if it becomes necessary to determine your participation.

### **2.3.2 Consequences of non-attendance or non-participation**

If you do not satisfy the attendance and participation requirements you may be ineligible for assessment. As a consequence the Program Director may refuse you permission to attempt an assessment task or to sit for any assessment. Alternatively the Program Director may direct that marks are to be deducted from your assessment grade.

If you have been advised that you are ineligible for an assessment and you nevertheless attempt an assessment task or sit for an examination, that task or examination will not be marked, and you will be required to redo the task or examination, once you have satisfied the attendance and participation requirements.

### **2.3.3 Extensions**

Students enrolled in online Subjects should expect to devote on average eight hours each week per Subject to coursework activities (including online coursework, preparation for assessment and assessment).

If you are unable to complete an activity, whether assessable or non-assessable, by the date timetabled, you must contact the lecturer in advance to let him/her know and to request an extension.

### **2.3.4 Jobs and other commitments**

You must be available for all scheduled activities. The College will not alter rosters or change timetables in order to suit individual commitments.

### **2.3.5 Notification of absence**

If you are unable to attend or absent from scheduled activities for any reason you must notify your lecturer or the Program Director in writing, giving reasons for your absence, including supporting evidence (eg, medical certificate) where appropriate.

You will be required to make up any work missed during these activities in the same, or a subsequent, workshop or timetable as directed by the Program Director.

### **2.3.6 English proficiency**

Competency in spoken and written English is required to commence any Program. If you are an overseas student from a non-English speaking country, or your previous studies were in a language other than English, you must demonstrate your ability in English skills in accordance with the IELTS standard before commencing the Program. The requisite IELTS standard is at level 8 (writing), 7 (listening), 7.5 (speaking), 7 (reading), and 7.5 overall.

If you do not do this, you may be required at any time to defer until such English skills are demonstrated.

### **2.3.7 FDRP Practicum**

Training package CHC81115 prescribes completion of at least 50 hours clinical work

placement to be completed as part of the award. Students who commenced the Graduate Diploma of Family Dispute Resolution Practice or Master of Laws (Applied Law) majoring in Family Dispute Resolution Practice from 2018, will cover 30 hours of the prescribed 50 hours by successful completion of prescribed core subjects (Appendix 6). These students must complete the remaining 20 hours of work placement externally.

## **2.4 Assessment procedures (see also Assessment Rules)**

### **2.4.1 Academic requirements**

The content and assessment in each Subject are described in the Learning Portal.

### **2.4.2 Assessment Rules**

The College's assessment policies and procedures are detailed in this Manual and in the Assessment Rules, which apply in all Programs and appear as Appendix 2 to this Manual.

### **2.4.3 Disability and disadvantage**

If you require special assistance because you suffer from a disability or disadvantage (not including lack of skills in reading and/or writing English) which might cause you difficulties in assessments you must apply in writing to the Program Director at least 14 days before the assessment. You should include a medical certificate and/or other relevant evidence in your application.

The Program Director may make such special arrangements, facilities available or allow additional time for the assessment as he/she thinks fit. Alternatively, the Program Director may reject your application in which case you may apply to the Assessment Review Committee for a review of the Program Director's decision.

### **2.4.4 Identification at assessments**

You must supply photo identification (i.e. a driver's license or proof of age card) at all assessments.

If you do not provide acceptable identification you may, at the discretion of the invigilator/assessor, be excluded from the assessment.

### **2.4.5 Assessment locations**

With the exception of written assessments, you will generally be expected to undertake examinations and other assessments at the location nominated on the Learning Portal.

In some circumstances the College assesses via oral personal assessments by video or web conference. The College will not approve an oral personal assessment being conducted by telephone unless the student is physically located on College premises, identified by College staff and being assessed by a lecturer at another College campus.

### **2.4.6 Timetable and attendance**

Assessments and activities will be on the dates and at the times shown on the Learning Portal. For your individual assessment in certain activities, where appropriate, the Applied

Law team will allocate the times of those assessments.

The College may, during the Program, alter the timetable and may reschedule the assessments for any reason and will notify you of the changes.

The Program Director may refuse permission for you to undertake an assessment if you:

- have not satisfied the attendance and participation requirements
- have not completed all tasks, activities and tests to a competent level
- do not produce acceptable identification, or
- do not attend or
- attend more than 20 minutes late.

#### **2.4.7 Absence from an entire assessment**

If through circumstances beyond your control you are unable to attend an assessment you must:

- notify the Program Director in writing, no later than one working day after the date of your assessment, and
- submit a medical certificate and/or other relevant evidence.
- The Program Director may make any special arrangements as the Program Director thinks fit.

#### **2.4.8 Illness or misadventure during an assessment**

If you attempt an assessment task but claim that your performance was prejudiced by circumstances beyond your control on the day of the assessment, you must:

- notify the Program Director in writing, no later than one working day after the date of the assessment, and
- submit a medical certificate and/or other relevant evidence.

The Program Director will not alter the result of the assessment but may permit you to attempt another equivalent assessment in a later course on such conditions as the Program Director thinks fit.

#### **2.4.9 Medical certificates**

All medical certificates must specify the severity and duration of the complaint and its effect on your ability to undertake the assessment. The College will not accept a receipt for medical or hospital fees instead of a medical certificate.

#### **2.4.10 Use of Materials and Equipment in Assessments**

During formal assessments (including performances and oral assessments) students are only allowed to use the material and equipment as outlined by the assessment instructions.

#### **2.4.11 Assumed knowledge**

No allowance will be made for inadequate performance on the basis that you did not study the relevant foundation substantive law as part of your law degree.

#### **2.4.12 Return of work/re-marking**

Where possible, assessed work (other than examinations) will be returned to you during the Program, with constructive comments via the Learning Portal.

Procedures are in place to ensure that marking is carried out fairly and consistently. Before marks are issued:

- any inconsistencies in marking of examinations and other assessments are investigated, and
- failures are reviewed.

#### **2.4.13 Notification of results**

You are able to access your assessment results online via the Learning Portal. You can only access your own details. Final marks are released via the Career Portal as soon as they become available.

A transcript of results is available upon completion at graduation or on request.

#### **2.4.14 Consequences of failure**

If you fail a Subject, and you are not eligible for a supplementary assessment, you must:

- re-enrol in a subsequent offering of that Subject (if a core subject)
- pay the appropriate enrolment fees, and
- undertake assessment in that Subject.

#### **2.4.15 Special Consideration Applications**

If you believe that your performance in a Subject is being, or has been significantly affected by illness, injury, misadventure or other circumstances outside of your control which had an impact on your performance in assessments, your ability to submit assessments on time or participate in the Subject, you may be eligible for special consideration.

Please submit your application for special consideration to the Program Director setting out your circumstances and enclosing supporting documents including medical certificates as set out in paragraph 2.4.9, above. You must apply as soon as you become aware of the circumstances and their impact.

Special circumstances **do not include** employment workload, new employment, technology problems, travel plans or holidays.

The Program Director will consider your application and, if approved, advise of the proposed course of action, which may include (but is not limited to) supplementary assessment, re-submission of the assessment, extended timetable or, approval of late deferral.

#### **2.4.15 Consequences of failure of a Subject for a second time**

If you fail a Subject, twice you must apply to the Assessment Review Committee (ARC) for permission to undertake the Subject a third time. Your application should include any reasons for your previous performance in the Subject and include documentary evidence of any hardship (e.g., medical evidence).

If the ARC does grant permission for a third enrolment and you fail the subject on the third attempt, you will be excluded from the Program for up to 12 months unless you are able to show cause to the ARC as to why a different outcome is appropriate in the circumstances. The period of exclusion shall be determined by the ARC.

You may make a written submission and/or address the ARC in person.

Appeals from decisions of the ARC are covered under the Assessment Rules at Appendix 2.

#### **2.4.16 *Revocation of academic awards***

The College reserves the right to revoke an academic award in circumstances where the College believes on reasonable grounds that the award should not have been conferred due to administrative error, irregularities in respect of eligibility or otherwise in compliance with the rules and policies within this Program Manual.

## Academic Conduct

### 3. Academic Conduct Policies and Procedures Relating to Students

#### 3.1 Unsatisfactory academic conduct and academic misconduct

##### 3.1.1 Procedure

If there is an allegation of unsatisfactory academic conduct or academic misconduct against you, the Program Director will advise you of the nature of the allegation and request you to meet with him/her and a senior member of the academic staff to discuss the allegation.

##### 3.1.2 Unsatisfactory academic conduct

If the Program Director determines that there is a case to answer regarding an allegation of unsatisfactory academic conduct then the Program Director will –

- advise you of that determination in writing within seven (7) days
- conduct the investigation, and
- report the result of the investigation to the Chief Academic Officer within fourteen (14) days of the initial determination.

The Chief Academic Officer, will then:

- consider the report,
- review any relevant evidence,
- conduct such further investigation (if any) as he/she thinks fit
- provide you with a reasonable opportunity to make oral and written submissions to him/her and
- make a finding as to whether there has been unsatisfactory academic conduct and, if so, a determination as to the penalty to be imposed, and
- within 7 days of making the finding advise you in writing of the finding, including his/her reasons for the finding and any determination as to penalty.

If the Chief Academic Officer determines that there has been unsatisfactory academic conduct, then he/she may –

- caution you
- reprimand you
- require you to re-submit any relevant item(s) of coursework, and/or
- determine that your participation in the Program, or unit or Subject has been unsatisfactory and require you to transfer to a later Offering to repeat the relevant unit or Subject.

##### 3.1.3 Academic misconduct

If the Program Director determines that there is an allegation of academic misconduct that warrants investigation, then the Program Director will –

- advise you of that determination in writing within seven (7) days
- conduct a preliminary investigation, and



- report the result of the investigation to the Chief Academic Officer within fourteen (14) days of the initial determination.

The Chief Academic Officer will then –

- consider the report
- conduct a further investigation including a review of any relevant evidence
- provide you with a reasonable opportunity to make oral and written submissions to him/her
- consider any submissions you may make
- make a finding as to whether there has been academic misconduct and, if so, a determination as to the penalty to be imposed, and
- within seven (7) days of making the finding advise you in writing of the finding, including his/her reasons for the finding and any determination as to penalty.

If the Chief Academic Officer makes a finding of academic misconduct, then he/she may, depending on the nature and seriousness of the academic misconduct:

- caution you
- reprimand you
- require you to re-submit any relevant item(s) of coursework
- determine that your participation in the Program, unit or Subject has been unsatisfactory and require you to transfer to a later Offering to repeat the relevant unit or Subject
- award you a zero mark for the results of any or all forms of assessment for a unit or
- subject in which you are admitted or enrolled
- withhold your results
- suspend you for a period not exceeding six (6) months
- exclude you from specified classes or Program components for a specified period, and/or
- impose conditions in relation to your participation in the Program or your use of
- College premises or facilities.

### **3.1.4 Collusion**

Where the allegation involves plagiarism but the Chief Academic Officer is unable to determine which of two or more students produced the impugned work, the Chief Academic Officer may make a finding against each student by reason of their collusion with each other.

### **3.1.5 Appeal**

Rights of appeal and procedures on appeal are to be found in the Assessment Rules (Appendix 2).

## Complaints and Disputes

### 4. Complaints and Disputes Policies and Procedures Relating to Students

#### 4.1 Student complaints and disputes

##### 4.1.1 Policy and guidelines

The College's complaints and disputes policy applies to all complaints, whether non-academic or academic, brought by students. The College's procedures regarding non-compliance by students with College policies and procedures are contained in Appendix 1 of this manual, as well as the Assessment Rules in Appendix 2.

#### **Policy**

This policy applies to all students, including students not yet enrolled with the College or seeking to enrol, and irrespective of the location where the matter complained of has arisen, a student's place of residence or the Program the student is undertaking.

For all complaints and disputes, non-academic and academic, the College will apply the following principles, which comprise its complaints and disputes policy:

- resolution will be sought at the most appropriate level commensurate with the seriousness of the complaint
- mediation will occur wherever possible
- the principles of natural justice will be observed
- documentation will not be necessary at the initial stage, but will be required if a complaint is of a serious nature, or is not readily resolved
- confidentiality will be preserved to the extent possible to achieve resolution of the complaint
- the College will take steps to ensure that neither the complainant nor the respondent
- will be victimised or discriminated against
- both the complainant and the respondent may be accompanied and assisted by a third party if desired
- both the complainant and the respondent may request reasons for decisions to be in writing at any phase of the process
- the College will ensure that all staff are aware of these principles and procedures
- the College will not charge the student any costs or fees in relation to the complaints and disputes process
- nothing in the policy and the guidelines, processes and procedures pursuant to the policy affects a student's rights to seek remedies at law where available.

#### **Guidelines**

For all complaints and disputes, non-academic and academic, the College will follow these guidelines in applying the complaints and disputes policy:

- where the complaint relates to a staff member, the College will not discuss it with that staff member nor reveal the student's identity without first advising the student
- written material will be kept confidential and will not be shown to anyone who is not directly involved in handling the complaint. When the complaint is finalised, all written material will be placed on a confidential file (not the student's or staff member's personal file), and kept on file for a period of five years. During this time, the materials will be treated as confidential documents accessible only to interested parties. After five years, the file and materials will be destroyed
- the assistance of the Student Liaison Officer will be sought, where appropriate, with the student's consent
- where a complaint involves an allegation of serious misconduct by a staff member, the Program Director will report the matter to the Principal, and will take no further action unless directed by the Principal
- the College will not act if the complaint relates to circumstances outside:
  - the premises of the College
  - the Program or terms of staff employment, and/or
  - the student's capacity as a student
- meetings may be by tele or video conference where most convenient to all parties.

#### **4.1.2 Student Liaison Officer**

The name of the current Student Liaison Officer, who can give you guidance in the conduct of complaints and disputes, can be obtained from the relevant Program Director (the Student Liaison Officer is currently the Director, Academic Policy and Quality). If you have a grievance or complaint that cannot be resolved internally, the College will advise you of the appropriate body where you can seek further assistance.

#### **4.1.3 Non-academic complaints and disputes procedure**

If you have a complaint relating to:

- a member of staff
- another student, or
- the administration of a Program,
- you may bring the complaint to the relevant Program Director for consideration in confidence.

After you have supplied to the Program Director sufficient particulars of the complaint for it to be adequately considered, the Program Director will advise you of the manner in which he/she proposes to deal with the complaint.

If after 21 days:

- the complaint is not resolved to the satisfaction of all parties, or
- appropriate action has not been taken in respect of the complaint, you may bring the complaint to the notice of the Chief Academic Officer. If you bring the complaint to the notice of the Chief Academic Officer:
  - the Chief Academic Officer or his/her delegate, will invite you to make submissions in respect of your complaint. The Chief Academic Officer or his/her delegate will resolve the complaint within 14 days of the date of the invitation to make

submissions.

If, you are not satisfied with the Chief Academic Officer's decision and the outcome of the complaints and disputes process, you may appeal in writing to the Appeals Committee within 28 days of receiving written notice of the Chief Academic Officer's determination.

#### **4.1.4 Academic complaints and disputes procedure**

This clause does not apply to complaints and disputes concerning allegations of unsatisfactory academic conduct or academic misconduct against students, which are dealt with at 3.1.

If you have a complaint relating to an academic matter, you may bring the complaint to the Program Director for consideration in confidence.

Any student who is dissatisfied with a final grade awarded in a subject may apply for a clerical re-addition of the examination marks by contacting the Program Director no later than 14 days after the official date for the issue of results. If an error is found, the mark will be adjusted accordingly. The Program Director will advise the student of the outcome, including any alteration to the grade awarded, within 14 days of the application being received.

If your complaint is in respect of a passing grade, which you wish to appeal, there is a non-refundable administrative charge of \$50. Complaints in respect of passing grades (ie, where you believe that you should have achieved a higher grade) must be made in writing within 14 days of the publication of the result and must be accompanied by the non-refundable administrative charge.

After you have supplied to the Program Director sufficient particulars of the complaint for it to be adequately considered, the Program Director will advise you of the manner in which he/she proposes to deal with the complaint.

If after 21 days:

- the complaint is not resolved to the satisfaction of all parties, or
- appropriate action has not been taken in respect of the complaint
- you may bring the complaint to the notice of the Assessment Review Committee in accordance with the procedures in the Assessment Rules in Appendix 2 of this manual.
- If you bring the complaint to the notice of the Assessment Review Committee, the Assessment Review Committee will set up a meeting with you within seven days in order to seek a resolution. The Assessment Review Committee will resolve the complaint in accordance with the procedures in the Assessment Rules in Appendix 2 of this manual.
- If you are dissatisfied with the determination of the Assessment Review Committee and the outcome of the complaint, you may appeal to the Appeals Committee in accordance with the Assessment Rules in Appendix 2 to this manual.
- If you are dissatisfied with the determination of the Appeals Committee and the outcome of the complaint, you may appeal to the External Appeals Panel in accordance with the Assessment Rules in appendix 2 to this manual.
- It will be the responsibility of the relevant Program Director to implement any
- determinations of the Assessment Review Committee, Appeals Committee or

External Appeals Panel.

#### **4.1.5 Overseas Students Ombudsman**

Overseas students holding student visas arranged via the College of Law can complain or appeal any decision (non-academic) by contacting the Overseas Students Ombudsman. The Overseas Students Ombudsman is free and independent.

Find out more at <http://www.oso.gov.au/> or phone 1300 362 072.

## Access to College Premises and General Conduct

### 5. Policies and Procedures Relating to Access and Student Conduct

#### 5.1 College premises

##### 5.1.1 *Student access*

You are only permitted access to those parts of the premises used for teaching the Program or for student amenity. You are not permitted access to:

- areas used by administrative staff lecturers' offices unless by invitation
- any store rooms
- kitchen areas, except on the ground floor
- the roof (at St Leonards), or
- rooms containing electrical switching equipment or air conditioning plant.

##### 5.1.2 *Care of student rooms*

You must take care to avoid unnecessary wear and tear or damage to the building, furniture and equipment. In particular you must not:

- affix notices, signs, pictures or other materials to walls, doors or other surfaces apart from designated notice boards
- put nails, screws or press studs into any walls, doors, other surfaces or equipment.

The College may remove any notice or other material from the notice boards or elsewhere. You are responsible for your room and the equipment in it and may be called on to contribute to the cost of any repairs.

You must not move furniture from one room to another, including desk drawers which are not interchangeable. You must not move desks within rooms unless authorised by a member of College staff.

Blinds must not be raised where that would interfere with the air-conditioning.

##### 5.1.3 *Accidents, loss or damage to equipment*

You must report promptly all cases of accident, damage, loss and faults in electrical, air conditioning and other equipment to a member of College staff.

##### 5.1.4 *Audio-visual equipment*

From time to time, computers, film projection, videotape, sound, and other audio-visual equipment are used during the Program.

You must not move or interfere with this equipment in any way.

##### 5.1.5 *Smoking*

You are not permitted to smoke inside College premises or within 4 metres of any external doorway

### **5.1.6 Eating and drinking**

You must not eat or and drink, or use electrical appliances for these purposes, in College premises. However, you may eat and drink in the Bridge Room (St Leonards) and in student rooms at all other locations subject to their being kept tidy (including food wrappings, drink cups and scraps must be wrapped and placed in waste bins).

Except where expressly authorised by the Program Director alcohol is not permitted on College premises.

### **5.1.7 Children**

The College does not have facilities for the care and safety of children. For this reason and to avoid disruption and inconvenience to other students, you must not bring children to the College.

### **5.1.8 Disruptive activities**

In consideration of others, to ensure that students, staff and other persons on the premises are not disturbed by noise or other forms of disruption, you must not:

- use mobile telephones or other devices on College premises, during onsite activities or
- participate in other noisy or disruptive activities on College premises.

### **5.1.9 Fire drills and regulations (at all College premises)**

You must observe all fire drills and regulations applicable to the building in which the Program is conducted.

### **5.1.10 Animals**

Animals (with the exception of guide dogs), birds and other creatures are not permitted at any time on College premises.

### **5.1.11 Personal property**

You are responsible for your own property and its security on College premises.

You must remove all your materials and personal property from College premises at the end of any on-campus session. The College may dispose of any materials or other property which has not been removed as required.

## **5.2 Safety, Security and Welfare**

### **5.2.1 Work health and safety**

The College has a Work Health and Safety Committee. If you become aware of any hazard or potential hazard please report it to College staff who will inform the relevant person in the College.

You must report any accidents to College staff so particulars may be recorded in the Accident Register.

Before you commence the Coursework Component, read the health and safety information in the Learning Portal User Guide.

### **5.2.2 HIV/AIDS and hepatitis policy**

The College has a commitment to protecting and supporting staff and students in relation to the Human Immunodeficiency Virus (HIV) and AIDS related conditions, the Hepatitis B Virus (HBV) and Hepatitis C Virus (HCV). In particular the College aims to minimise the risk to staff and students of either contracting or transmitting these viruses in work, study or other life situations by:

- providing a safe and healthy work environment, and undertaking to minimise the risk to staff and students posed by HIV or the Hepatitis B or C viruses
- protecting staff and students from harassment, discrimination and victimisation in relation to HIV/AIDS or Hepatitis B or C viruses
- promoting informed awareness, understanding and tolerance by staff and students of issues and concerns in relation to HIV or the Hepatitis B or C viruses, and
- maintenance of physical and emotional well-being in relation to work/study for staff and students who are in some way affected by HIV or the Hepatitis B or C viruses.

### **5.2.3 Prevention of harassment and discrimination policy**

The College is committed to ensuring that all students and staff are treated fairly and equitably, and that their right to study and work in an environment free of harassment and discrimination is recognised. The College requires all staff and students to respect each other's dignity and to treat each other with courtesy, honesty and sensitivity to their rights.

The College does not allow or condone harassment or discrimination of staff or students by other members of staff, students, or other persons; nor does it allow or condone harassment or discrimination of students by members of staff or other students, on the grounds of race, sex, age, disability, political or religious belief. The relevant Program Director will ensure that this policy is implemented, and will treat any complaint seriously and sympathetically in appropriate ways which ensure that complainants and witnesses are not victimised. Complaints will be investigated thoroughly, fairly and confidentially in accordance with the College's complaints policy guidelines in this manual.

Disciplinary action may be taken against anyone found to have committed harassment or discrimination on any basis. All students and staff have responsibility to contribute to the achievement of a productive, safe and equitable study and work environment by avoiding practices which lead to, support or condone harassment or discrimination on any basis.

### **5.2.4 Privacy of student records policy**

The College treats students' records as confidential.

Information in a student's records will only be used by College staff in fulfilling the legitimate and authorised purposes of the College. Unless authorised by legislation, a student's permission will be sought before disclosure of any information from that student's records.



### **5.2.5 Student Counselling**

#### **Academic Matters**

Where students feel they are in need of academic counselling, they should in the first instance contact their lecturer to discuss the matter. If the student feels the need to go beyond the lecturer, they should contact the Program Director or the Student Liaison Officer.

#### **Non-academic Matters**

Where a student has problems which go beyond his/her enrolment with the College of Law but have the propensity to affect his/her ability to complete the Program, the student should contact the Program Director or the Student Liaison Officer who will, if requested and in appropriate cases, arrange a consultation for the student with a professional counsellor. The College will pay for one such first consultation for the student.

## **5.3 General**

### **5.3.1 Conduct**

You must comply with the policies, procedures and rules of the College and any reasonable directive of the College or any of its staff.

You must not prejudice the good order and governance of the College or interfere with the freedom of other persons to pursue their studies, carry out their functions, participate in the life of the College or pursue their rights to be on the premises.

### **5.3.2 Coursework materials**

Your fees include payment for access to coursework materials, appropriate for your Program, which will be available online and/or distributed to you in print during the Program. You may print copies of online materials, in which the College has copyright, at your own cost.

If for any reason you need additional copies or replacement of any materials given to you in hard copy, you must contact your lecturer. You may be required to pay a fee based on replacement cost.

### **5.3.3 Intellectual property**

#### **Copyright and use of materials**

All coursework materials (including online materials), practice papers, seminar papers, audio-visual material and other publications and materials used in Programs are subject to copyright. Enquiries regarding course materials should be directed to the Director, Content Design and Development

Access to the College's learning portal, online materials, hard copy coursework materials are supplied exclusively to you solely for the purposes of participating as a student in a Program. You must not copy the materials, except for your own study purposes. You must not supply them to any other person or permit access to the site or coursework materials to any other person without the prior written consent of the College. You must keep your User ID and Password confidential.

The LexisNexis online library facilities (and the online library facilities of other publishers) are provided solely for your educational purposes as you complete the Program. You must not use them for any commercial or other private benefit to yourself, your firm or your firm's clients or any other persons. Access to subscription databases is restricted by licences for use only during the specified course dates plus 30 days thereafter.

### ***College logo***

You must not use, depict or display the College logo except in a manner and circumstances first approved by the College.

### ***Your work***

The College reserves the right to retain the original or one copy of work executed by you as part of the Coursework, or submitted for any award or competition conducted by the College. This retention does not affect any copyright or other intellectual property right that may exist in the work.

#### **5.3.4 Correspondence**

You must quote your student number in all correspondence with the College. Correspondence originating from the College will in most cases be electronic.

#### **5.3.5 Change of contact details**

If you change your address (or other contact details) you must notify the Client Services

Team in writing or by email to: [alp@collaw.edu.au](mailto:alp@collaw.edu.au).

The College will not accept responsibility if communications fail to reach you because of a change of address.

Overseas students studying under student visas arranged via the College must notify the College of any changes to contact details, including address and telephone number. Failure to do so may result in the cancellation of a student's visa.

#### **5.3.6 Notices**

Notices will normally be posted electronically.

#### **5.3.7 Evaluation**

The College actively seeks comprehensive feedback on all aspects of its programs including teaching, materials and administration. Your participation in the evaluation process is encouraged and appreciated. Changes are regularly incorporated in the programs as a result of feedback from students.

In order to provide feedback to your lecturers and to Program Directors you will be asked to complete a series of questionnaires at intervals throughout the Program. You may also be approached for feedback by the College or market researchers on behalf of the College either during or after the Program. Your responses are confidential and will be used to develop and improve the Program.

If you have any comments, concerns or suggestions at any other time which you think would be helpful to us, please address them to the Program Director or your lecturer.

### **5.3.8 Student profile pictures**

The College of Law believes that online profile pictures can enhance a sense of community within the online classroom and enrich the online learning environment, however, it is important that the profile pictures do not distract from the learning environment.

While students are encouraged to post a profile picture, it is not mandatory. Student profile pictures must adhere to the Guidelines.

The College of Law reserves the right to remove any profile picture that does not adhere to the Guidelines.

#### ***Guidelines***

- Picture must be of the student only (i.e., may not include other individuals)
- No images, clipart, or symbols should be used
- Backgrounds and foregrounds of profile pictures should be neutral and non-distracting (no symbols, images or clipart)
- Profile pictures must present the student in appropriate attire.

## APPENDIXES

### **APPENDIX 1 – Procedures where Non-Compliance with Policies and Procedures (student non-compliance)**

#### **1. Compliance with policies, procedures and rules**

Your enrolment is on the condition that you comply with the policies and procedures relating to students and with the Assessment Rules (Appendix 2) in this manual.

The following paragraphs set out the applicable procedures in the event of student non-compliance with policies and procedures in this manual.

#### **2. Procedures regarding student non-compliance and the College's right of summary exclusion**

Summary exclusion from classes or a Program

- 2.1 A member of College staff who is conducting a class or Program component may exclude you from the class or component if he or she reasonably suspects you of student non-compliance and will advise you of the grounds of his/her suspicion at the time of exclusion or as soon as practicable.
- 2.2 The librarian, or any member of library staff, may exclude you from their library if he or she suspects you of student non-compliance in relation to their library.
- 2.3 Any member of College staff responsible for the operation or maintenance of any College premises or facility may exclude you from the premises or facility, or from the use of the premises or facility, if he or she suspects you of student non-compliance in relation to the premises or facility.
- 2.4 Unless sooner revoked, an exclusion under this clause ceases to have effect:
  - (a) in the case of the exclusion from a class or component, at the end of the day on which you were excluded
  - (b) in any other case (with the exception of a finding of academic misconduct), at the expiration of seven days from the day on which the alleged breach of discipline occurred
  - (c) in the case of a finding of academic misconduct, at the discretion of the Principal, and
  - (d) an exclusion under subclause (c) may be permanent.
- 2.5 A person who excludes you from a class or Program component, from the library, any other College facility or from College premises must notify the Program Director as soon as practicable after the exclusion takes place.
- 2.6 If a member of College staff suspects you of student non-compliance in relation to the policies, procedures and rules during an examination or other assessment task or work relating to participation in the Program, the staff member has the right to take prompt action to prevent the continuance of the suspected non-compliance and must provide a written report to the Program Director as soon as practicable.

### ***Inquiries into alleged student non-compliance***

- 2.7 The Program Director may (whether as a consequence of the making of a complaint or otherwise) cause inquiries to be made in relation to any student non-compliance that is alleged to have been committed by you.
- 2.8 The Program Director may exclude you from the College while such enquiries are being made. After exclusion, the Program Director may allow you to re-enter the College, with or without conditions (including transfer to another Offering) as are appropriate in the circumstances.

### ***Program Director to issue show cause notice***

- 2.9 If the Program Director, after inquiry, determines that there has been student non-compliance by you, the Program Director:
- (a) must give you a reasonable opportunity (being a period of not less than seven days) within which to make written representations to the Program Director in relation to any penalty to be imposed for the alleged student non-compliance, and
  - (b) must take into account any written representations you make during that period.

### ***Program Director to dismiss certain matters***

- 2.10 If the Program Director determines after consideration of your further representations that there should be no finding of student non-compliance against you, the Program Director must inform you accordingly.

## **3. Consequences of student non-compliance**

- 3.1 If the Program Director determines that there has been student non-compliance by you, amounting to unsatisfactory conduct, the Program Director may, taking into account your previous disciplinary record and after consultation with the Principal, take any one or more of the following actions:
- (a) withhold your results
  - (b) suspend you for a period not exceeding six months
  - (c) exclude you from specified classes or Program components for a specified period
  - (d) exclude you from College premises or specified College facilities for a specified period
  - (e) if the student non-compliance involves loss or damage to property of the College require you to repay to the College a specified amount not exceeding the amount of the loss or damage
  - (f) impose conditions in relation to your participation in the Program or your use of College premises or facilities
  - (g) caution or reprimand you
  - (h) require you to transfer to another Offering.
- 3.2 Student non-compliance involving unsatisfactory academic conduct or academic misconduct shall be dealt with in accordance with Chapter 3 of the Program Manual.
- 3.3 The Principal may and, where obliged, will report the fact and the circumstances of the student non-compliance involving unsatisfactory academic conduct or academic misconduct to any one or more of the following:

- the College Board
- the council of the legal professional association in the relevant jurisdiction or jurisdictions for your Stream
- the relevant court and admitting authorities in the relevant jurisdiction or jurisdictions for your Stream.

3.4 The Program Director must notify you as soon as practicable of:

- any decision made pursuant to these rules, and
- his or her reasons for the decision.

#### **4. Right of appeal**

4.1 Any student wishing to appeal the finding of non-compliance is referred to the complaints and disputes procedures at Chapter 4 of this manual.

4.2 Appeals against findings of unsatisfactory academic conduct or academic misconduct lie to the Appeals Committee (see Assessment Rules – Appendix 2).

## APPENDIX 2 - Assessment Rules

### 1. Application of these rules

These rules apply to all students enrolled in a Program or Subject.

### 2. Participation requirements to be eligible for assessment

To be eligible for assessment in a Subject, you must attend and participate in all activities referred to in the timetable and coursework materials.

The College may take into consideration:

- your undertaking activities, exercises and learning resources in a Subject, and
- whether in so doing your work was of a satisfactory standard
- if it becomes necessary to determine whether you have participated in a Subject in order to be eligible for assessment.

### 3. Criteria for assessment

3.1 The assessment requirements for each Subject are described in the relevant Subject Outline.

3.2 To pass a Subject in a course, you must satisfy the assessment requirements for that Subject which may include either or both of:

- achieving a total mark equivalent to 50% or more of the assessment tasks in that Subject and
- in the Practical Legal Training Program completing all course work to the standard that would reasonably be expected of a newly admitted solicitor in practice.

3.3 To pass the Professional Program, you must:

- pass each Subject in the Practice and Professional areas of the Program
- pass two elective subjects in the Program, one from Group 1 and one from Group 2, and
- complete the Practicum Component and the Continuing Professional Education Component of the Program.

3.4 To pass an Applied Law Program course, you must pass all core Subjects and electives as required.

3.5 By submitting work for assessment you are warranting to the College that the work is your own. All sources and quotations should be properly acknowledged and referenced to avoid the implication that you may be presenting the work of others as your own. There are potentially very serious consequences for students found to have engaged in unsatisfactory academic conduct or academic misconduct, including exclusion from the course and, in appropriate circumstances, reference to the relevant court and admitting authorities in the relevant jurisdiction or jurisdictions for your course (see clause 3.3 of Appendix 1 to this manual.)

#### 4. Examinations and skills assessments in a Subject

The College conducts examinations and skills assessments at the times shown in the course timetable. (These are the assessment components referred to in these rules). The College may reschedule the assessments. If it does, the Program Director will nominate the times for the assessments.

#### 5. Completion of course work in a Subject – Applied Law Program

- 5.1 You must complete all course work in a Subject within the time shown in the course timetable. Compliance with the time limits is a criterion of assessment. (Course work includes all skills assessments, assignments, activities, practical work, performance roles and other work).
- 5.2 If you are unable to submit any course work, whether it is for feedback or assessment, you may request an extension prior to the due date for that assessment from your lecturer of up to two (2) days. You must request the extension in writing and provide reasons. The lecturer has absolute discretion whether to allow the extension.
- 5.3 If you require an extension of more than two days, you must apply in writing prior to the due date, to the Program Director, setting out your reasons with supporting documentation and the date by which you propose to submit the relevant course work. Approval is at the discretion of the Program Director.
- 5.4 If you fail to obtain an extension prior to the timetabled due date for submission and the course work is an activity for feedback, it is at the lecturer's discretion whether or not they provide feedback and the timeframe in which it is provided, if at all.
- 5.5 If you do not obtain an extension prior to the timetabled due date for submission and the course work is an assessable activity, 5% of the available marks will be deducted each day that the work is late.
- 5.6 No extension is available for the portfolio assessment except in cases of hardship.

#### 6. Grading in Subjects

- 6.1 Your marks for the assessment components in each Subject are given the weighting set out in the course materials. Those marks are then added up to give a score out of 100.
- 6.2 The College then converts your score to a grade in accordance with the following table:

Grade	Mark	Criteria
High Distinction	85-100	Work of outstanding quality with full coverage of all content/performance requirements
Distinction	75-84	Work of superior quality with full coverage of all content/performance requirements
Credit	65-74	Work of sound quality with adequate coverage of content/performance requirements
Pass	50-64	Work of satisfactory quality with adequate coverage of content/performance requirements



Grade	Mark	Criteria
Fail	0-49	Work of unsatisfactory quality and/or inadequate coverage of content/performance requirements

In the Practical Legal Training Program the subject “Professional Skills” are assessed on a Satisfactory/Not Satisfactory basis applying the Pass/Fail criteria.

6.3 You are only notified of your grades and not marks in Subjects.

## 7. Procedures on final assessment

- If the College’s Assessment Review Committee decides that a fail grade does not reflect your performance in a Subject, it may defer your final assessment in that Subject until you complete such further work and assessments as the Assessment Review Committee sees fit.
- Supplementary assessments are offered on programmed assessment dates.
- Programmed assessment dates are scheduled throughout the Program. The dates of the assessments are in the Learning Portal.

## 8. Submissions to Assessment Review Committee

- 8.1 You may make a submission to the Assessment Review Committee. To do so, write to the Program Director within 14 days of final timetabled day of the course in which you are enrolled.
- 8.2 If you want to make a submission based on illness or misadventure, include medical or other appropriate evidence.
- 8.3 You may appear personally before the Assessment Review Committee and make oral submissions.

## 9. Appeals Committee

- 9.1 You may appeal to the Appeals Committee against any decision of the Assessment Review Committee, but only on one or more of the following grounds:
- the Assessment Review Committee has proceeded contrary to these rules
  - the Assessment Review Committee has failed to consider information which you have put before it
  - the Assessment Review Committee has misdirected itself
  - the Assessment Review Committee has proceeded contrary to the principles of natural justice
  - assessment requirements or procedures were changed contrary to these rules.
- 9.2 You may appeal to the Appeals Committee against a finding that you have engaged in unsatisfactory academic conduct or academic misconduct, but only on one or more of the following grounds:
- the Chief Academic Officer proceeded contrary to these rules
  - the Chief Academic Officer failed to consider information which you put before him or her

- the Chief Academic Officer misdirected himself or herself
- the Chief Academic Officer has proceeded contrary to the rules of natural justice.

9.3 Your appeal must:

- be in writing
- clearly state the grounds of the appeal, and
- be received by the College within 21 days of the date the College sends you notice of the decision against which you are appealing.

9.4 The Appeals Committee will send you written notice of the time, date and place of its meeting.

9.5 If you appeal, you have the right to appear personally before, and to address, the Appeals Committee, as well as the right to make a written submission to the committee.

## **10. External Appeals Panel**

10.1 You may appeal to the External Appeals Panel against any decision of the Appeals Committee, including a decision relating to a finding of unsatisfactory academic conduct or academic misconduct, but only on one or more of the following grounds:

- the Appeals Committee has proceeded contrary to these rules
- the Appeals Committee has failed to consider information which you have put before it
- the Appeals Committee has misdirected itself
- the Appeals Committee has proceeded contrary to the principles of natural justice
- assessment requirements or procedures were changed contrary to these rules.

10.2 Your appeal must:

- be in writing
- clearly state the grounds of the appeal, and
- be received by the College within 21 days of the date the College sends you notice of the Appeals Committee's decision.

10.3 In normal circumstances, an appeal to the External Appeals Panel will be via submission of written statements by the student and the chair of the Appeals Committee.

10.4 If you appeal, you may apply to appear personally before, and to address, the External Appeals Panel in addition to making a written submission. Permission to appear personally (or via video or teleconference) and to address the External Appeals Panel is not to be unreasonably withheld.

10.5 In normal circumstances, the External Appeals Panel will make its decision and advise you in writing of the decision within 14 days of receiving your written submission or of your appearance in person, whichever is the later.

## **11. Exemption from attendance requirements**

11.1 The College may exempt you from attendance requirements where there are exceptional circumstances of medical or personal hardship.

11.2 If you want to make such an application, you must apply in writing to the Program Director.

- 11.3 If the College grants you an exemption, you must still comply with all the assessment criteria.

## **12. Plagiarism, collusion and cheating**

- 12.1 All work which you submit for assessment or participation in the Course must be your own work unless otherwise directed by the College. Please read carefully the definitions of Plagiarism, Collusion, Cheating, Unsatisfactory Academic Conduct and Academic Misconduct in the Definitions and Abbreviations section of this manual.
- 12.2 You must not:
- copy from or submit, or
  - attempt to copy from or submit the work of another student, ex-student or any other person.
- 12.3 You must not permit another student, ex-student or prospective student to have access to or submit your work or any part of it.
- 12.4 You must not acquire or be in possession of or distribute examination materials or marking guides for any assessment task without the express permission of an academic member of staff.
- 12.5 The College may require you to certify that work which you submit for assessment or participation in the Course complies with these Rules.

In any case where copying or other Plagiarism, Collusion, Cheating or non-compliance with these Rules has occurred, the Chief Academic Officer may:

- require you to carry out such alternative and/or additional assessment tasks as he/she deems fit; and/or
- find such copying, Plagiarism, Collusion, Cheating or non-compliance to be Unsatisfactory Academic Conduct or Academic Misconduct and deal with it in accordance with clause 3.12 of this manual.

## **13. Miscellaneous**

- 13.1 Nomination of other officers, committees or boards

Any officers, committees or boards of the College authorised or required under these rules to exercise any authority, duty or responsibility may nominate another appropriately qualified officer or committee to exercise that authority, duty or responsibility.

## APPENDIX 3 - Selection Procedures

### 1. Practical Legal Training Program

- 1.1 The College sets no criteria for selection into the Practical Legal Training Program with the following exceptions:

#### **Australian Students and Permanent Residents**

- a student must have completed a law degree or other qualification entitling them to be admitted as a legal practitioner in a state or territory of Australia;
- a student must enrol in a given course by the published enrolment date;
- a student must sign and return the Acknowledgment of Penalty form to be enforced by the College against students who withdraw from the course after commencement but prior to the Census Date.

### 2. Overseas Students

- a student must have completed an overseas law degree or other qualification entitling them to be admitted as a legal practitioner in a state or territory of Australia, with or without additional undergraduate subjects to be undertaken, as advised by the Legal Profession Admission Board; OR
  - a student must have completed an overseas law degree or other qualification entitling them to be admitted as a legal practitioner in their own country;
  - a student must enrol in a given course by the published enrolment date;
  - a student must pay the course tuition fee by the published enrolment date.
- 2.1 In certain circumstances, at its own discretion, the College may relax the need to have completed a law degree (or other qualification entitling them to be admitted as a legal practitioner) prior to commencement of the Practical Legal Training Program.
- 2.2 In order to make an application under 2.1, a student must demonstrate to the satisfaction of the College that:
- they have less than a full time undergraduate load remaining (over one semester); and
  - refusal of the application would result in hardship.
- 2.3 Applications under 2.1 should be made to the Program Director at least one month prior to commencement.

### 3. Applied Law Programs

With the exception of the Graduate Diploma of Family Dispute Resolution Practice (FDRP), all Applied Law Programs require applicants to hold an undergraduate law degree or equivalent which would satisfy the requirements for admission as a lawyer in Australia.

The COLAB may approve applicants for the In-house Program in accordance with the procedures detailed at 2.1.3 of the ALP Program Manual.

#### **4. Graduate Diploma of Family Dispute Resolution Practice (FDRP)**

The FDRP is part of the Applied Law Program but is available to non-lawyers.

Accordingly, applicants are required to hold an undergraduate degree in law or otherwise satisfy the eligibility requirements detailed at clause 2.2.1.

## APPENDIX 4 - Review Procedures

### 1. Recrediting FEE-HELP (s 104-25)

- 1.1 In ordinary circumstances, a student incurs a FEE-HELP liability at the Census Date. The College will recredit a student's FEE-HELP balance in special circumstances that:
- are beyond the student's control; and
  - do not make their full impact on the student until on or after the course Census Date; and
  - make it impractical for the person to complete the requirements for the course of study during the period in which the student was scheduled to undertake the course.

### 2. Special circumstances

- 2.1 The College considers that special circumstances exist as described in the *Higher Education Administrative Information for Providers* published by the Department of Education and Training (Cth) at Appendix P (Guide to special circumstances decision-making).
- 2.2 Without limiting the generality of Appendix P (Guide to special circumstances decision-making), the College will generally not regard circumstances to be unusual, uncommon or abnormal where they relate to employment workload, new employment or holidays.

### 3. Application

- 3.1 If a student wishes to make an application for recrediting their FEE-HELP balance, the student must make an application in writing to the Manager, Client Services (PLT or Applied Law Program) before the end of the application period (see below).
- 3.2 The application must include all relevant supporting documents (e.g. doctor's certificate).

### 4. Application period

- 4.1 The application for recrediting must be made within 12 months of the student's receipt from the College of a notice of withdrawal, or, if no such notice is issued, within 12 months of the end of the course in which the student was enrolled, and received a Commonwealth Assistance Notice.
- 4.2 The Manager, Client Services may, at their discretion, waive the requirement for the application to be made within the application period, if they are satisfied that the application could not possibly have been brought within that time.

### 5. Reasons for decision

- 5.1 Once the Manager, Client Services has determined whether or not special circumstances exist which warrant the recrediting of FEE-HELP balance, the Manager, Client Services will notify the applicant as soon as is practicable.
- 5.2 In giving notice under clause 5.1, the Manager, Client Services will include a statement of reasons for the decision.

## 6. Review of decision by Review Officer

- 6.1 In the event that an applicant is not satisfied with the Manager, Client Services' decision under clause 5, the applicant may apply in writing to the Review Officer for a review of the decision.
- 6.2 The Review Officer at the College of Law is the Director, Academic Policy and Quality.
- 6.3 An application for review of the decision must be made within 28 days of the student having received the notice of decision.
- 6.4 An application for review of the decision must state the reasons why the applicant believes the review is warranted.
- 6.5 The Review Officer will give a notice of receipt to the applicant advising that if the reviewer has not advised the applicant of the outcome within 45 days of receiving the application for review, the reviewer is taken to have confirmed the original decision.
- 6.6 The Review Officer's notice of receipt will also advise the applicant of his or her right to appeal the decision of the Review Officer in the Administrative Appeals Tribunal and provide details of the address of the nearest registry of the AAT and approximate costs.
- 6.7 The Review Officer will give written notice of the outcome of a decision including reasons for the decision and, once again, provide details of the address of the nearest registry of the AAT and approximate costs.

## 7. Appeal to AAT

- 7.1 A student who remains dissatisfied with the Review Officer's decision may appeal to the Administrative Appeals Tribunal (AAT).
- 7.2 In the course of an appeal to the AAT, the student may supply additional information to the AAT which was not supplied to the College in the original applications for recrediting of FEE-HELP balance.
- 7.3 If a student makes an appeal to the AAT under clause 7.1, the respondent in the matter will be the Secretary of the Department of Education and Training or their delegate.
- 7.4 The New South Wales registry of the AAT is at:  
Administrative Appeals Tribunal  
Level 6,  
83 Clarence Street  
Sydney NSW 2000  
  
Further information about registries and filing fees can be found at <http://www.aat.gov.au/#>  
[Filing fees](#) are subject to change, but the fee as at November 2017 was \$884, and may be considered indicative of likely costs for the medium term.

## APPENDIX 5 – Practicum Rules – FDRP Program

The Graduate Diploma of Family Dispute Resolution Practice or Master of Laws (Applied Law) majoring in Family Dispute Resolution Practice entitles graduates to apply to the Commonwealth Attorney General’s Department to become accredited as family dispute resolution practitioners.

The Program consists of two components:

- (i) The Coursework Component (4 x subjects); and
- (ii) The Practicum Component.

These rules relate to the Practicum Component.

### Definitions

Term	Definition
Practicum Component	One of the Program components to be undertaken by students in order to satisfy the requirements for completion of the Program. This component must total 20 hours of supervised placement.

### Rules

Rule	Sections
1. Constitution of the Practicum Committee	<p>1.1 The Practicum Committee is appointed by, and reports to, the Board of Governors of the College of Law and to the College of Law Academic Board.</p> <p>1.2 Members of the Practicum Committee may hold office for 2 years and may be reappointed.</p> <p>1.3 The Director, Practitioner Education, Quality, Compliance and Risk Officer and the Client Services Manager are ex officio members of the Practicum Committee.</p> <p>1.4 The Practicum Committee may regulate its own procedures in implementing these rules.</p>
2. The application process	<p>2.1 The Practicum Approval Form must be completed and submitted to the Practicum Committee.</p> <p>2.2 Approval in accordance with 2.1 must be obtained before commencing the Practicum Component.</p> <p>2.3 Practicum approval will only be granted where all practicum criteria are met in accordance with these Rules.</p>
3. When to do your Practicum component	<p>3.1 All Program components must be successfully completed within a 4 year period from the start date of the first subject.</p> <p>3.2 The Coursework Component must be successfully completed before commencement of the Practicum Component.</p>
4. Required duration of Practicum Component	<p>4.1 If you completed your coursework from 2018, your external practicum must total 20 hours.</p> <p>4.2 If you completed your coursework in 2017, the duration of your practicum must total 50 hours.</p> <p>4.3 If you completed your coursework in 2017, you may elect to complete</p>



Rule	Sections
	<p>FDR4 – Clinical Case Management Capstone subject that will amount to 30 hours of practicum. The remaining 20 hours will need to be completed externally.</p> <p>4.4 The 20 hours of practicum may be made up by aggregation of multiple placements provided that each placement is at least two hours.</p> <p>4.5 Practicum may be undertaken on weekends.</p> <p>4.6 The maximum practicum that will be recognised in any 24 hour period is 7.5 hours. (Some time for reflection between sessions is important.)</p> <p>4.7 Maximum of five hours in total of intake and/or observation is permitted.</p>
<p>5. Completion of FDRP5 – Clinical Case Management in 2017</p>	<p>If you elected to complete the combination of FDRP5 and the remaining 20 hours of practicum, then rules 5.1 and 5.2 also apply.</p> <p>5.1 You may complete FDRP5 – Clinical Case Management (FDRP5) either after you complete the Coursework Component which consists of four subjects or, concurrently once you have successfully completed FDRP1 – Mediation.</p> <p>5.2 You may complete your remaining 20 hours at the same time as you are completing FDRP5 as long as you have successfully completed all core subjects.</p> <p>5.3 Maximum of 5 hours in total of intake and/or observation is permitted if you are completing FDRP5 and 20 hours of practicum externally.</p>
<p>6. Placement requirement</p>	<p>6.1 Your practicum placement must be supervised by an authorised supervisor and can be undertaken with:</p> <ul style="list-style-type: none"> <li>(a) an organisation which engages in conflict management; or</li> <li>(b) an authorised professional individual who engages in conflict management; or</li> <li>(c) any government or semi-government department or corporate association, recognised by the Practicum Committee as being a place in which appropriate placement experience might be undertaken.</li> </ul>
<p>7. Nature of Practicum</p>	<p>Your practicum must occur in the delivery of mediation services which meet the six compulsory units of competency for accreditation under Regulation 5(3) <i>Family Law (Family Dispute Resolution Practitioners) Regulation 2008</i>.</p> <p>Practicum placements must:</p> <ul style="list-style-type: none"> <li>(a) manage responses to domestic and family violence in family work;</li> <li>(b) facilitate dispute resolution in the family law context. In order to satisfy this unit of competency there must be evidence that you facilitated, either individually or in co-facilitation capacity, at least 5 dispute resolution processes that individually or cumulatively, include matters relating to: <ul style="list-style-type: none"> <li>• Domestic and family violence;</li> <li>• Child abuse/child protection;</li> <li>• Finance, including child support;</li> <li>• Property.</li> </ul> </li> </ul> <p>Facilitated disputes must involve:</p> <ul style="list-style-type: none"> <li>• Multiple parties;</li> <li>• Voluntary participants; and</li> </ul>

Rule	Sections
	<ul style="list-style-type: none"> <li>• Involuntary participants.</li> </ul> <p>(c) adhere to ethical standards in family dispute resolution;</p> <p>(d) support the safety of vulnerable parties in dispute resolution;</p> <p>(e) work with a child-focused approach; and</p> <p>(f) operate in a family law environment. In order to satisfy this unit of competency there must be evidence that you correctly applied family law to at least 5 different situations, that individually or cumulatively include needs relating to:</p> <ul style="list-style-type: none"> <li>• domestic and family violence/safety;</li> <li>• finance;</li> <li>• property;</li> <li>• children;</li> <li>• relationship conflict.</li> </ul>
8. Completion of placements	<p>8.1 A person may be a supervisor if he/she is authorised by the Commonwealth Attorney-General's department to act as a Family Dispute Resolution Practitioner.</p> <p>8.2 Supervision must occur in the context of a written supervision compact which details the responsibilities and duties of both the supervisor and the student.</p> <p>8.3 Once the practicum is satisfactorily completed, the supervisor must sign the student's Practicum Component Declaration Form.</p> <p>8.4 A supervisor must not supervise more than 5 people concurrently undertaking their practicum unless the approval of the Practicum Committee has been obtained, which approval will only be given in special circumstances.</p>
9. Submission of practicum forms	<p>9.1 When you complete an approved practicum placement you must submit a Practicum Declaration Form which:</p> <p>(a) confirms and details dates of the practicum undertaken in accordance with these rules;</p> <p>(b) confirms that you have been supervised by the approved supervisor; and</p> <p>(c) includes an acknowledgement signed by the approved</p> <p>(d) supervisor.</p>
10. Dispensation from compliance with these rules	<p>10.1 Subject to the requirements of any relevant regulatory body, the Practicum Committee may dispense with compliance with any aspect of these rules where it is satisfied that non-compliance is minor or that undue hardship may result from a strict application of the rules.</p>
11. Rejection of applications	<p>11.1 If the Practicum Committee refuses to approve your Practicum Approval Form or Practicum Declaration Form, then the Committee must provide you with reasons for its refusal in writing and within a reasonable time of the refusal.</p>
12. Appeals process	<p>12.1 There will be an Appeals Committee which will be appointed by all the College Boards.</p> <p>12.2 The Appeals Committee may prescribe rules and guidelines covering the conduct of appeals.</p> <p>12.3 Appeals can only be made on the grounds of procedural unfairness,</p>

Rule	Sections
	<p>irregularity or improper exercise of the Practicum Committee's discretion under Rule 10.1 and shall not proceed by way of re-hearing.</p> <p>12.4 The Appeals Committee may:</p> <ul style="list-style-type: none"> <li>(a) dismiss the appeal;</li> <li>(b) refer your application back to the Practicum Committee with such directions as it sees fit; or</li> <li>(c) substitute its own determination of your application for that of the Practicum Committee.</li> </ul> <p>12.5 In order to appeal, please submit your application to Client Services Team to start the process.</p>

## APPENDIX 6 – Course requirements

The Prescribed Core Subjects and available elective subjects are listed for each award below.

### **Graduate Certificate in Applied Law (Government & Public Sector Law)**

To receive this award, students are required to complete two subjects: GOV1 – Foundations of Government & Public Sector Law and one elective subject from the following list:

- GOV2 – Privacy and Information Management;
- GOV3 – Legislation and Its Interpretation; and
- GOV4 – Contracting, Procurement and Probity.

### **Graduate Certificate in Applied Law (Legal Practice Management)**

To receive this award, students are required to complete two subjects: LPM1 – Foundations of Legal Practice Management and one elective subject from the list below:

- LPM2 – Legal Technology and Practice Management;
- LPM3 – Client Strategy and Implementation; and
- LPM4 – Leadership and Practice.

### **Graduate Diploma of Applied Law (Commercial Litigation)**

To receive this award, students are required to complete four of the subjects as set out below.

The following three core subjects:

- CLP1 – Foundations of Commercial Litigation
- CLP2 – Pre-trial Procedures
- CLP3 – Dispute Resolution Processes

plus any one of the following elective subjects:

- CLP4 – Managing Complex Litigation
- CLP11 – Building and Construction Disputes
- CLP12 – Insurance Disputes
- CLP13 – Intellectual Property Litigation
- CLP14 – Insolvency Litigation
- CLP15 – Corporations Litigation

### **Graduate Diploma of Applied Law (Family Law)**

To receive this award, students are required to complete four of the subjects as set out below.

The following three core subjects:

- FLP1 – Foundations of Family Law Practice
- FLP2 – Property, Maintenance & Child Support
- FLP3 – Conducting Family Law Matters

plus any one of the following elective subjects:

- FLP11 – Advanced Parenting Issues

- FLP12 – Advanced Issues in Property, Maintenance & Child Support
- FLP14 – Family Dispute Resolution
- FLP15 – Advocacy in Family Law

### **Graduate Diploma of Applied Law (Government & Public Sector Law)**

To receive this award, students are required to complete the four subjects set out below:

- GOV1 – Foundations of Government and Public Sector Law;
- GOV2 – Privacy and Information Management;
- GOV3 – Legislation and Its Interpretation; and
- GOV4 – Contracting, Procurement and Probity.

### **Graduate Diploma of Applied Law (In-house Practice)**

To receive this award, students are required to complete four subjects as set out below.

The following two core subjects:

- IHP101 – Foundations of In-house Practice
- IHP102 – Managing Disputes

plus any two of the following elective subjects:

- IHP111 – Acting as a Company Secretary
- IHP112 – Managing the Legal Team
- IHP116 – Multi-Disciplinary Project Management

### **Graduate Diploma of Applied Law (Legal Practice Management)**

To receive this award, students are required to complete the four subjects set out below:

- LPM1 – Foundations of Legal Practice Management;
- LPM2 – Legal Technology and Practice Management;
- LPM3 – Client Strategy and Implementation; and
- LPM4 – Leadership and Practice.

### **Graduate Diploma of Applied Law (Wills & Estates)**

To receive this award, students are required to complete four subjects as set out below.

The following three core subjects:

- WEP1 – Foundations of Wills & Estates Practice
- WEP2 – Law and Practice of Estates
- WEP3 – Construing and Drafting Wills

plus any one of the following elective subjects:

- WEP4 – Family Provision
- WEP5 – Contested Probate and other Court Applications
- WEP6 – Advanced Issues in Wills & Estates
- WEP7 – Elder Law

## **Master of Applied Law (Family Law)**

To receive this award, students are required to complete eight subjects as set out below.

The following five core subjects:

- FLP1 – Foundations of Family Law Practice
- FLP2 – Property, Maintenance & Child Support
- FLP3 – Conducting Family Law Matters
- FLP11 – Advanced Parenting Issues OR FLP12 – Advanced Issues in Property, Maintenance & Child Support
- FLP00 – Capstone Project (Family Law)

plus any three of the following elective subjects:

- FLP11 – Advanced Parenting Issues (if not already chosen above)
- FLP12 – Advanced Issues in Property, Maintenance & Child Support (if not already chosen above)
- FLP13 – Development & Management of a Family Law Practice
- FLP14 – Family Dispute Resolution
- FLP15 – Advocacy in Family Law

## **Master of Laws (Applied Law) with a single major**

Students are required to complete at least four subjects within a major sequence (including a Capstone project) out of the eight subjects, in order to be awarded with that Major. Please note that subjects from Family Dispute Resolution Practice major cannot be completed as electives due to the pre-requisite nature of the subjects.

## **Master of Laws (Applied Law) without a major (General Masters)**

A General Masters student can simply complete any eight Applied Law Subjects in order to pursue a wider range of interests. One of the eight subjects must be a Major project. Please note that subjects from Family Dispute Resolution Practice major cannot be completed as electives due to the pre-requisite nature of the subjects.

## **Master of Laws (Applied Law) with a double major**

Students must elect the Double Major option during the course of their study. Students who complete their LLM degree cannot return to complete a Double Major, they must start a new Program.

Students in the Masters of Applied Law (Family Law) Program, are eligible to complete a Double Major if they transfer their enrolment to the Master of Laws (Applied Law) Program and complete 4 subjects of a new Major sequence area.

*Double major example: Student wishes to Double Major in Wills and Estates and Property*

- *Wills & Estates subjects:*
  - *WEP 1: Foundations of Wills & Estates*
  - *WEP 3: Construing and Drafting Wills*
  - *WEP 4: Family Provision*
  - *Capstone: (Wills and Estates)*
- *Property subjects:*

- Prop 1: *Foundations of Property Law*
- Prop 2: *Buying and Selling Real Property*
- Prop 3: *Commercial Leasing, Contracts & Transactions*
- *Specified Credit or fourth property subject*

### **Master of Laws (Applied Law) majoring in Family Dispute Resolution Practice**

To receive this award, students must successfully complete eight subjects in total. To satisfy the course requirements of the Major, students must successfully complete the coursework component consisting of the four core subjects and the practicum component consisting of 20 hours practicum. The four core subjects are:

- FDR1 – Family Law & Mediation;
- FDR2 – Children’s Matters, Family Law and Family Dispute Resolution;
- FDR3 – Advanced Family Dispute Resolution; and
- FDR4 – Case Management in Family Dispute Resolution Capstone.

Students cannot complete this award until the practicum component has been satisfied. The remaining four subjects may be any Applied Law Program subjects.

### **Master of Laws (Applied Law) with a double major where one of the majors is Family Dispute Resolution Practice**

To receive this award, students are required to successfully complete eight subjects in total plus the practicum component:

- Coursework component for Family Dispute Resolution Practice major, which includes four core subjects:
  - FDR1 – Family Law & Mediation;
  - FDR2 – Children’s Matters, Family Law and Family Dispute Resolution;
  - FDR3 – Advanced Family Dispute Resolution; and
  - FDR4 – Case Management in Family Dispute Resolution Capstone.
- Practicum component for Family Dispute Resolution Practice major by completing 20 hours of work experience; and
- Completion of four subjects in the second major. As the students are completing the Capstone in the Family Dispute Resolution Practice, they are not required to complete Capstone project in the second major.

Students cannot complete this award until the practicum component has been satisfied.

### **Graduate Diploma of Family Dispute Resolution Practice – prior to 2018**

To receive this award, students are required to complete the coursework component consisting of the four core subjects and the practicum component consisting of 50 hours practicum (or FDRP5 + 20 hours of practicum). The four core subjects are:

- FDRP1 - Mediation
- FDRP2 – Understanding and Working with Families in Conflict
- FDRP3 – Australian Family Law
- FDRP4 – Advanced Family Dispute Resolution

### **Graduate Diploma of Family Dispute Resolution Practice – from 2018**

To receive this award, students are required to successfully complete the coursework component consisting of the four core subjects and the practicum component consisting of 20 hours practicum.

The four core subjects are:

- FDR1 – Family Law & Mediation;
- FDR2 – Children’s Matters, Family Law and Family Dispute Resolution;
- FDR3 – Advanced Family Dispute Resolution; and
- FDR4 – Case Management in Family Dispute Resolution Capstone.



## APPENDIX 7 – Student Code of Conduct

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### Purpose

The College of Law recognises the importance of an educational environment which actively promotes best practice and optimal student outcomes. The purpose of this Student Code of Conduct (the Code) is to describe the standards of behaviour and conduct expected from students in their dealings with College staff, external participants in College programs, courses, seminars or events, and other students.

The College expects all students to observe the standards set out in this Code. Compliance with this Code is mandatory and non-compliance may result in disciplinary action.

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### Applicability

This Code applies to all persons, wherever located, enrolled in a College program, course, seminar or event of any kind, referred to in this Code as 'students'.

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### The Code

All students of the College are expected to observe the highest standards of ethics, integrity and behaviour during the course of their enrolment with the College. This Code provides an overview of the College's fundamental values. It is by no means exhaustive and should be read in conjunction with relevant program manuals and College policies and procedures.

All students are expected to conduct themselves in a professional and courteous manner and observe the following standards of behaviour:

1. Comply with all relevant laws, policies, procedures, rules and regulations.
  2. Comply with all lawful and reasonable directions from the College.
  3. Be honest and fair in dealings with College staff, external participants in College programs, courses, seminars or events, and other students.
  4. Display appropriate professionalism and respect for others in appearance, dress and use of language.
  5. Treat College staff, external participants in College programs, courses, seminars or events, and other students in a non-discriminatory manner with proper regard for their rights and dignity. In this regard, discrimination, victimisation or harassment based on a person's race, colour, creed, religion, national origin, citizenship, age, sex, sexual orientation, marital status, union membership or non-membership, mental or physical disability, or any other classification protected by law will not be tolerated.
  6. Maintain punctuality. If a student is late or unable to attend a scheduled event they should contact the lecturer or event organiser and let them know as soon as possible.
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7. If a student is required to leave a scheduled event for any reason they should advise the lecturer, presenter or event organiser in advance.
  8. Observe health and safety policies and obligations, and co-operate with all procedures and initiatives taken by The College in the interests of workplace health and safety.
  9. Be honest in all dealings.
  10. Refrain from any form of conduct which may cause any reasonable person unwarranted offence or embarrassment or give rise to the reasonable suspicion or appearance of improper conduct or bias.
  11. Respect The College's ownership of all of its funds, equipment, supplies, books, records and property.
  12. Maintain during enrolment with The College and after the termination of enrolment, the confidentiality of any confidential information, records or other materials acquired during enrolment with The College.
  13. The College prohibits bribes, kickbacks or any other form of improper payment or inducement, direct or indirect, to any College staff member or external participant in a College program, course, seminar or event.
  14. All communications, whether written or oral, with College staff, external participants in College programs, courses, seminars or events, or other students must be conducted professionally, respectfully and courteously. Students must only communicate with College staff and other students through the Learning Portal for the purpose for which the Learning Portal is provided.
  15. Failure to adhere to paragraph 14 may result in disciplinary action and the College having to file a reportable data breach notification to the relevant Commonwealth ministry.
  16. Any disagreement with College staff, external participants in College programs, courses, seminars or events, or other students must be conducted professionally and courteously with respect and consideration for the other person and without resort to violence, intimidation, threat or harassment of any kind and in compliance with relevant College complaints procedures.
  17. Students must participate in College programs, courses, seminars or events with integrity and without resort to plagiarism, collusion or cheating in any coursework or assessment.
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