

# Practical Legal Training (PLT)

## Program Manual

# Table of Contents

DEFINITIONS AND ABBREVIATIONS .....	4
THE CONTRACTUAL RELATIONSHIP BETWEEN THE COLLEGE AND THE STUDENT .....	8
1. Financial Policies and Procedures Relating to Students .....	8
1.1 Enrolment, re-enrolment and abandonment .....	8
1.2 Tuition fees and refunds .....	9
1.2.1 FEE- HELP students .....	9
1.2.2 Fee paying students .....	10
1.2.3 Clinical Experience Module (CEM) .....	10
1.3 Exemption, Withdrawal, Readmission and Transfer .....	11
1.3.1 Acceptable documents for enrolment .....	11
1.3.2 Exemption and advanced standing (credit) .....	11
1.3.3 Academic credit for work done .....	12
1.3.4 Re-admission to the College .....	13
1.3.5 Transfer between Offerings or Streams within the PLT Program .....	13
1.3.6 Withdrawal.....	14
PROGRAM REQUIREMENTS, ASSESSMENT AND ADMINISTRATION .....	15
2. Academic Policies and Procedures Relating to Students .....	15
2.1 Required knowledge of the law.....	15
2.2 Completion of the PLT Program .....	15
2.3 Admission .....	16
2.4 Part Programs .....	16
2.4.1 Mode of study.....	17
2.4.2 Trainee Admission Program (Qld) .....	17
2.4.3 Trainee Admission Program (Vic).....	17
2.5 Attendance and participation (see also Assessment Rules).....	18
2.5.1 Attendance and participation requirements – PLT Program .....	18
2.5.2 Consequences of non-attendance, non-participation .....	18
2.5.3 Extensions.....	18
2.5.4 Jobs and other commitments .....	18
2.5.5 Notification of absence .....	18
2.5.6 Minimum rate of progress.....	19
2.5.7 English proficiency.....	19
2.6 Assessment procedure (see also Assessment Rules).....	19
2.6.1 Academic requirements.....	19
2.6.2 Assessment Rules.....	19
2.6.3 Disability and disadvantage.....	19
2.6.4 Identification at assessments .....	20
2.6.5 Assessment locations.....	20
2.6.6 Timetable and attendance .....	20
2.6.7 Absence from an entire assessment .....	21
2.6.8 Illness or misadventure during an assessment.....	21
2.6.9 Medical certificates.....	21
2.6.10 Return of work/re-marking .....	21
2.6.11 Notification of results .....	21
2.6.12 Supplementary assessments .....	22
2.6.13 Consequences of failure of a Subject after a supplementary assessment .....	22
2.6.14 Revocation of academic awards.....	22

ACADEMIC CONDUCT.....	23
3. Academic Conduct Policies and Procedures Relating to Students.....	23
3.1 Unsatisfactory academic conduct and academic misconduct.....	23
3.1.1 Procedure.....	23
3.1.2 Unsatisfactory academic conduct.....	23
3.1.3 Academic misconduct.....	23
3.1.4 Collusion.....	24
3.1.5 Appeal.....	24
COMPLAINTS AND DISPUTES.....	25
4. Complaints and Disputes Policies and Procedures Relating to Students.....	25
4.1 Student complaints and disputes.....	25
4.1.1 Policy and guidelines.....	25
4.1.2 Student Liaison Officer.....	26
4.1.3 Non-academic complaints and disputes procedure.....	26
4.1.4 Academic complaints and disputes procedure.....	27
4.1.5 Overseas Students Ombudsman.....	27
ACCESS TO COLLEGE PREMISES AND GENERAL CONDUCT.....	28
5. Rules Relating to Access and Student Conduct.....	28
5.1 College premises.....	28
5.1.1 Student access.....	28
5.1.2 Care of student rooms.....	28
5.1.3 Accidents, loss or damage to equipment.....	28
5.1.4 Audio-visual equipment.....	28
5.1.5 Smoking.....	28
5.1.6 Eating and drinking.....	29
5.1.7 Children.....	29
5.1.8 Disruptive activities.....	29
5.1.9 Fire drills and regulations (at all College premises).....	29
5.1.10 Animals.....	29
5.1.11 Personal property of students.....	29
5.2 Safety, Security and Welfare.....	29
5.2.1 Work health and safety.....	29
5.2.2 HIV/AIDS and hepatitis policy.....	30
5.2.3 Prevention of harassment and discrimination policy.....	30
5.2.4 Privacy of student records policy.....	30
5.2.5 Student Counselling.....	30
5.3 General.....	31
5.3.1 Conduct.....	31
5.3.2 Practice papers and coursework materials.....	31
5.3.3 Intellectual property.....	31
5.3.4 Correspondence.....	32
5.3.5 Change of contact details.....	32
5.3.6 Notices.....	32
5.3.7 Evaluation.....	32
APPENDIXES.....	34
APPENDIX 1 – Procedures where Non-Compliance with Policies and Procedures (student non-compliance).....	34
APPENDIX 2 - Assessment Rules.....	37
APPENDIX 3 - Selection Procedures.....	41
APPENDIX 4 - Review Procedures.....	42
APPENDIX 5 – Work Experience Rules.....	44

## 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 assessment papers, class work, grades or class records
- impersonation of or by another student or person in a test or other assessment activity
- use or attempted use of any material or equipment in an assessment room, or during any other assessment activity, that is stated not to be permitted either on the assessment paper or in the assessment instructions or by a member of College staff
- unauthorised communication or attempted communication with another person during a test or other assessment activity
- engaging in any other improper academic conduct.

**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** – a test 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.

**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 assessment or test

- reading, or attempting to read, another student's assessment script
- obtaining, using or distributing unauthorised notes, answers or other material during a test 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.

**Clinical Experience Module** – the alternative form of the Work Experience Component comprised of 25 days' work experience in accordance with the Work Experience Rules plus additional exercises and activities as prescribed from time to time.

**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 – at the University of Canberra, University Drive, Bruce 2617
- New South Wales – 2 Chandos Street, St Leonards 2065
- Queensland – at Level 5, Wesley House, 140 Ann Street, Brisbane 4000
- South Australia – at Level 24, Westpac House, 91 King William Street, Adelaide SA 5000.
- Victoria – at Level 6, 459 Little Collins Street, Melbourne 3000
- Western Australia – at Ground Floor, Durack Centre, 263 Adelaide Terrace, Perth 6000
- 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.

**Co-operative Program** – an offering of the PLT Program in association with a particular law firm.

**Coursework Component** – one of the three components of the PLT Program – an integrated course of study comprised of core and elective subjects as prescribed by the National Competencies for Entry Level Lawyers.

**CPE Component** – one of the three components of the PLT Program – requiring the completion of units of Continuing Professional Education plus the completion of a reflective journal.

**External Appeals Panel** – is the final avenue for academic 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.

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

**Maximum permissible period** – the longest permissible period a student may remain enrolled in the PLT Program, without completing all three components of the PLT Program, is four (4) years. The four years commences from first enrolment.

**Offering** – a specific version of the Coursework Component of the PLT Program (or Clinical Experience Module) between scheduled dates in a particular Stream.

**On Campus Program** – the College’s face to face Coursework Component of the PLT Program conducted only at St Leonards, New South Wales.

**Part Program** – discrete Subjects of the Coursework Component of the PLT Program.

**Part Program Student** – a student who is undertaking a Part Program, for example a trainee.

**PLT** – practical legal training

**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.

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

**Practical Legal Training Program (PLT Program)**– a program of practical legal training, made up of three components, which satisfies the requirements for direct admission to legal practice in the Australian Capital Territory, New South Wales, the Northern Territory, Queensland, South Australia, Victoria and Western Australia.

**Program Director** – the relevant director or chief executive of the Program a student is undertaking, responsible to the Chief Academic Officer, the Principal and the College Board for the implementation, conduct and assessment of the relevant Program.

**Stream** – a version of the PLT Program which satisfies the PLT requirements for admission to legal practice in a Supreme Court with content relevant to that jurisdiction.

**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 an Offering.

**Trainee** – a student in Queensland or Victoria undertaking supplementary or programmed training.

**Trainee Admission Program** – discrete subjects in the Part Program to be undertaken by a Trainee.

**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.

**Work Experience Component** – one of the three components of the PLT Program –75 days of approved work experience undertaken in accordance with the Work Experience Rules OR the alternative work experience undertaken via the Clinical Experience Module.

# The Contractual Relationship between the College and the Student

## 1. Financial Policies and Procedures Relating to Students

### 1.1 Enrolment, re-enrolment and abandonment

1. Except where otherwise provided for by the College, an application for enrolment must be made in accordance with the policies and procedures of the College.
2. Prior to commencement of the PLT Program you must provide to the College a current transcript (original or certified copy) of your academic results or, if that current transcript does not show completion of your academic law qualification, you may also provide a letter from the head of the Law School indicating that you have completed all requirements of your law qualification. 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 the issue of a certificate of completion and, if applicable, the award of the Graduate Diploma of Legal Practice.
3. Unless the relevant admitting authorities approves your application to enrol, the College will not accept you into the PLT Program if you, on the first day of the Coursework Component, 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 form by the first day of the Subject unless you have been given permission to lodge a late application for enrolment form.
5. You must pay the tuition fee in entirety or submit a Request for FEE-HELP Assistance form upon enrolment.
6. You are deemed to be enrolled in the Offering 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 Offering 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 an Offering
  - you abandon or are excluded from an Offering, or
  - your enrolment in an Offering or participation in an Offering 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 Coursework Component and have not taken steps to transfer or defer within 12 months of the completion of the Offering in which you were last enrolled, or
  - 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. All College award Programs are approved courses for FEE- HELP. Students wishing to access FEE- HELP loans should contact Student Services or download the relevant information from the website at: [studyassist.gov.au](http://studyassist.gov.au)

1. At the time of your application for enrolment in a Program or Subject (including the Clinical Experience Module), you must submit a completed Request for FEE- HELP Assistance form with your enrolment form. If you did not enrol in the Offering including the Clinical Experience Module (CEM) but later wish to include CEM, an additional Request for Fee-Help Assistance form must be submitted.
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 (6), 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 DEST or download the relevant information from the website at: [studyassist.gov.au](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).
6. If a FEE- HELP student withdraws from a Program or Subject on, or prior to, the Census Date, they will incur an Early Withdrawal Penalty which is enforceable as a debt personally against the student. The Early Withdrawal Penalty is listed on the fees page of the College website.
7. All applications for withdrawals, transfers or refunds should be made in writing to the Manager of Student 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. Flexible Offerings without Census Dates are not eligible for Fee-HELP. 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:

1. At the time of your application for enrolment in a Program or Subject (including the Clinical Experience Module), 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 Program or 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)
4. If a fee paying student withdraws from the Program or Subject on, or prior to, the Census Date, they will incur an Early Withdrawal Penalty which will be deducted from any refund of tuition fees. The Early Withdrawal Penalties are listed on the Fees page of the College website.
5. All applications for withdrawals, transfers or refunds should be made in writing to the Manager of Student 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.
8. Overseas students must pay the advertised overseas student tuition fee unless they have been granted full residence. The College requires only that the student's application for permanent residency has been accepted and appropriate evidence for such acceptance is provided.
9. There are no refunds for students undertaking part programs with open commencement and completion dates.

### **1.2.3 Clinical Experience Module (CEM)**

Refer to Appendix 5 for the relevant Work Experience Rules in your jurisdiction. There may be some variations (see in particular Rule 10) from State to State, so the following clauses are to be taken as a general guide.

Students wishing to undertake the Clinical Experience Module (CEM) must pay the relevant fee as may apply from time to time.

Students in a full-time Offering may only enrol in the CEM once they have successfully completed the Coursework Component.

Students in a part-time Offering may enrol in the CEM prior to completion of the Coursework Component provided all coursework up to and including week 16 has been satisfactorily

completed.

All students enrolling in the CEM must enrol no later than the first day of the CEM Offering.

Subject to specific CEM provisions, including as to the timing of placements, the usual Work Experience Rules apply to the work placement done within the CEM, with the exception of the need to complete 75 days. The work experience requirement for the CEM is 25 days and must be completed before enrolling in the CEM. Students who obtain work experience after enrolling in the CEM may withdraw from the CEM, subject to the usual rules regarding refunds at 1.2.

### **1.3 Exemption, Withdrawal, Readmission and Transfer**

#### **1.3.1 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 relevant documents are not available at the time of enrolment and a student enrolls on the basis of an undertaking to provide the documents as soon as they are available, the student will not be permitted to complete or graduate until the documents have been provided.

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.

#### **1.3.2 Exemption and advanced standing (credit)**

The College cannot exempt any student from undertaking any part of the PLT Program.

However, the College may, where a Subject makes up a discrete part of the Coursework Component, give advanced standing for a Subject or part of a subject:

if the Subject was satisfactorily completed as part of a PLT Program at another PLT institution accredited in the same state or territory, or in any other case as the Assessment Review Committee approves.

Undergraduate subjects are not eligible for advanced standing with the exception of Negotiation and Dispute Resolution, which is part of the Subject, Lawyer's (Professional) Skills: see below.

If you wish to apply for advanced standing for any Subject you must apply in writing to the Program Director before commencement of the Coursework Component. The College will not grant advanced standing for more than 50% of the Coursework Component. Your application should address the criteria set out below. Once you have started the Coursework Component, you will not be given advanced standing for any part of the Coursework Component.

The criteria are:

- whether the subject is prescribed under the National Competency Standards for Entry Level Lawyers
- the state or territory where the PLT institution at which the subject was completed is accredited
- the particular Stream for which advanced standing is sought
- the time elapsed between the completion of the subject and the application
- any other relevant matter.

The Program Director or the Assessment Review Committee may:

- accept or reject your application
- accept your application on such conditions, including any relating to the fees payable for the Program, as it considers appropriate.

You may appeal from the decision of the Program Director or the Assessment Review Committee to the Assessment Appeals Committee in accordance with the Assessment Rules in Appendix 2 of this manual.

### **Lawyer's (Professional) Skills – Negotiation and Dispute Resolution**

If you have attended and satisfactorily completed an equivalent alternative dispute resolution course that includes a component on negotiation, you may be able to obtain advanced standing for attendance at the Negotiation and Dispute Resolution workshop that is part of the Lawyer's (Professional) Skills Subject in the PLT Program.

To obtain this advanced standing you must complete the relevant section of the online application form which is available on the College website. The College will inform you as soon as practicable as to the outcome of your application.

#### **1.3.3 Academic credit for work done**

If you withdraw from the PLT Program you may apply to the Manager of Student Services in writing for credit for any part of the Coursework Component completed before your withdrawal. Credit will only be given for:

- whole, and not part of, Subjects, or
- attendance at onsite workshops in the Subject Lawyer's (Professional) Skills completed before withdrawal.

Upon re-enrolment, your application for credit may be granted upon the following conditions:

- no more than two years has elapsed between withdrawal and recommencement, and
- the work completed for which you seek credit is substantially the same as the work which is required in the Offering in which you seek re-admission.

Any Subject not fully completed and assessed in the previous Offering must be repeated in entirety in the new Offering.

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

If you:

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

the PLT 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 PLT Program for which you seek readmission.

You are taken to have abandoned the PLT Program if you have not completed the Coursework Component and have not taken steps to transfer or defer within 12 months of the completion of the Offering in which you were last enrolled.

You are able to defer the Coursework Component for a maximum of two years. If you do not recommence within that time you are taken to have abandoned the PLT Program.

#### **1.3.5 Transfer between Offerings or Streams within the PLT Program**

If, after commencement, you apply to transfer to another Offering or Stream, the Manager of Student Services will approve that transfer if:

- you pay the prescribed fee for academic supervision of the transfer; and either
- the Offering or Stream into which you seek to transfer has not progressed beyond the stage (including all assessable submissions) you reached in the Offering or Stream in which you are already enrolled, or
- the Offering or Stream into which you seek to transfer has progressed beyond the stage you reached in the Offering or Stream in which you are already enrolled, but the Program Director determines that you can satisfactorily complete the additional work that has been covered in the later Offering or Stream.

Applications for transfer between Offerings or Streams should be made, in writing, to the Manager of Student Services. Until a different fee is determined, the fee for academic supervision of the transfer is published on the college website at <http://www.collaw.edu.au/>.

This fee is payable upon requesting the transfer.

There is no charge for a pre-commencement transfer. Pre-commencement means before the day on which the Offering commences.

Where your transfer is approved, you do not forfeit any part of the fee you have already paid. However, where different fees apply to the Offering to which, and the Offering from which, you

transfer, the total fee payable by you will be adjusted (upwards or downwards, as the case may require) to be such sum as the Manager of Student Services decides is appropriate to reflect the respective proportions of the total coursework to be completed in each of those Offerings.

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

A student who transfers after the Census Date does not have the option of withdrawing with a refund, or without incurring a Commonwealth debt, under 1.2 of this manual.

The maximum number of post-commencement transfers permitted by the College is three, after which a student will be required to show cause why they should not be excluded from the PLT Program. If excluded, a student must apply to re-commence the PLT Program from the beginning (including the payment of a further tuition fee).

### **1.3.6 Withdrawal**

#### **Fee paying students**

Subject to clause 1.2, you wish to withdraw, you must immediately notify the Manager of Student Services in writing stating the circumstances. If you notify the Manager of Student Services, on or before the Census Date, of the relevant Program from which you wish to withdraw, you will receive a refund of the fee less the Early Withdrawal Penalty. If you notify the Manager of Student Services 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).

A transfer or deferral to another Offering or Stream is not a withdrawal. Students transferring or deferring before the Census Date will still lose their eligibility for a refund of tuition fees after the original Census Date.

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

If you wish to withdraw from an Offering, you must immediately notify the Manager of Student Services 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 relevant Census Date you will not incur a debt to the Commonwealth and your FEE-HELP entitlement will be re-credited. You will however, be liable to pay the Early Withdrawal Penalty, which is enforceable against you personally. Refer to tuition fees and refunds at 1.2.

If you withdraw after the Census Date you will still incur a debt to the Commonwealth for the full tuition fee. In certain circumstances, the College may allow an application to preclude the incurring of a debt (see Review Procedures at Appendix 4) but you will still be liable to pay the Early Withdrawal Penalty.

A transfer or deferral to another Offering or Stream is not a withdrawal. Students transferring or deferring before the Census Date will still incur a tuition debt after the original Census Date.

## Program Requirements, Assessment and Administration

### 2. Academic Policies and Procedures Relating to Students

#### 2.1 Required knowledge of the law

To undertake the PLT Program you must be a graduate in law, have qualified to graduate in law, or have undertaken all academic requirements other than practical training, prescribed for admission as a lawyer. You are expected to have knowledge of the substantive law relevant to subjects as follows:

##### **Core subject**

---

- Civil Litigation Practice
- Commercial and Corporate Practice
- Property Practice
- Ethics and Professional Responsibility, including Trust and Office Accounting

##### **Substantive Law**

---

- Evidence, Procedure, Pleading, Equity, Contracts and Torts
- Revenue Law, Corporations Law, Commercial Law, Equity and Trust Law
- Property (Real and Personal) Law, Corporations Law, Revenue Law, Commercial Law
- Professional Conduct

##### **Elective subject**

---

- Administrative Law Practice
- Banking and Finance Practice
- Criminal Law Practice
- Family Law Practice
- Consumer Law Practice
- Employment and Industrial Law Practice
- Planning and Environmental Law Practice
- Wills and Estates Practice

##### **Substantive Law**

---

- Administrative Law, Constitutional Law
- Commercial Law, Corporations Law
- Criminal Law, Evidence, Procedure
- Family Law
- Contracts, Consumer Protection Law, Trade Practices Law
- Anti-discrimination Law, Employment and Industrial Law
- Environmental Law, Real Property, and Local Government Law
- Succession, Equity and Trust Law

No allowance will be made in tests or assessments for inadequate performance on the basis that you have not studied the relevant substantive law at law school.

#### 2.2 Completion of the PLT Program

Upon completion of the PLT Program, you will be entitled to:

- a certificate of completion,
- a Graduate Diploma of Legal Practice (for completers of the full PLT Program) and
- may be admitted to legal practice by the relevant Supreme Court if you satisfy all the court's other formal requirements for admission.

## 2.3 Admission

It is your responsibility to ensure that you have satisfied all requirements for admission, in addition to completing the PLT Program.

Before you enrol, you should check all the requirements regarding your admission with the relevant admitting authority, especially if you are a law graduate from a jurisdiction other than that in which you are seeking admission.

Note particularly the requirement for admission that your law degree must include a subject in professional conduct.

### Admission dates

If you will be eligible for admission following successful completion of the PLT Program, you must apply to the relevant admitting authority which sets the dates for admission.

You should check with the College's Student Services Office as to the earliest date on which you will be able to seek admission following completion of all PLT Program requirements. It is not always possible for the College to complete all marking and administrative requirements and to provide you with the certificate of completion of the PLT Program to enable you to be admitted on the first admission date following the completion of the coursework component in which you are enrolled.

### Applying for first admission to the admitting authorities

It is your responsibility to lodge your application for admission with the relevant admitting authority with the appropriate forms and by the required dates.

For information about the admission process and requirements, forms and fees, you should contact the admitting authority in the relevant jurisdiction or jurisdictions directly. Contact details can be obtained from the College website at <http://www.collaw.edu.au>.

### Applying for admission in other jurisdictions

After first admission you may also apply:

- to be admitted to any other Australian jurisdiction,
- to the relevant law society/institute or bar association for a practising certificate as a solicitor or a barrister respectively.

## 2.4 Part Programs

In some circumstances, eligible students are permitted to undertake part of the PLT Program in order to satisfy the requirements for admission to the legal profession. Subjects undertaken are the same as subjects taken within the full PLT Program. All policies, procedures and rules contained in this PLT Program Manual apply to Part Program students unless otherwise indicated.



**FEE-HELP is not available in Part Programs if the Offering has no advertised Census Date.**

#### **2.4.1 Mode of study**

Part Programs may only be undertaken online.

Part Program students are not eligible for the award of a Graduate Diploma in Legal Practice. Upon successful completion of the Subjects in which they are enrolled, Part Program students receive a Certificate of Completion, which must be included with the application for admission as a lawyer.

Flexible Offerings of Part Programs do not have advertised start or end dates and can be done at the student's own pace (with the proviso that a student must be enrolled in a given Subject for 30 days before they are eligible to sit the assessment). Such Offerings do not have a Census Date and so tuition fees cannot be paid using FEE-HELP.

If an eligible Part Program Student wishes to access FEE-HELP they must enrol in a general Offering and undertake the requisite subjects in accordance with the timetable for that Offering.

#### **2.4.2 Trainee Admission Program (Qld)**

The Legal Practitioners Admission Board (LPAB) in Queensland requires Trainees to complete 90 hours of supplementary training (including legal ethics). Discrete Subjects within the PLT Program have been approved as supplementary training.

Trainees must register a Traineeship Plan with the LPAB which indicates how they will complete the requisite competencies (as set out in Appendix B to the Law Admissions Consultative Committee Report, reproduced in Attachment 2 to the Supreme Court (Admission) Rules 2004) over the course of their traineeship period. Wherever a competency cannot be satisfied within a law firm, the Traineeship Plan must identify approved training (in the form of practical legal training) to satisfy that competency. Discrete subjects within the PLT Program can be undertaken as approved training.

Students enrolled in the Trainee Admission Program are required to keep pace with an online timetable and attend exam sessions as scheduled. The Trainee Admission Program is offered several times per year. FEE- HELP is available for eligible students.

Students in the Trainee Admission Program are not required to undertake either the Work Experience or Continuing Professional Experience components, but all other policies, procedures and rules contained in this Program Manual apply to Trainees unless otherwise indicated.

Trainees are not eligible for the award of a Graduate Diploma in Legal Practice. Trainees, upon successful completion of the Subjects in which they are enrolled, receive a Certificate of Completion, which must be included with the application for admission as a lawyer.

#### **2.4.3 Trainee Admission Program (Vic)**

The Victorian Legal Admissions Board in Victoria requires Trainees to complete supplementary training (including legal ethics) in accordance with the *Legal Profession Uniform Admission Rules 2015*. The Trainee Admission Program is otherwise similar to the Trainee Admission Program in Queensland.

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

### **2.5.1 Attendance and participation requirements – PLT Program**

Attendance requirements vary according to the mode of delivery.

The tasks, activities for each Subject are set out in the coursework materials, and in the calendar.

You must fully and actively participate in the PLT 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 workshops or other onsite activities
- do not actively participate in workshops or other onsite 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
  - the work is not your own, or
- do not access learning resources or undertake tasks and activities as described in the course materials .

Part program students are only required to complete activities and assessments in the Subjects in which they are enrolled.

### **2.5.2 Consequences of non-attendance, 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 undertake an assessment.

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

### **2.5.3 Extensions**

If you are unable to complete a task or activity by the date scheduled for submission, you must contact the lecturer in advance to let him/her know and to request an extension.

### **2.5.4 Jobs and other commitments**

You must be available for all scheduled assessments.

We strongly recommend that you not undertake full-time work or other commitments during the full-time PLT Program. The coursework is intensive and you may have great difficulty completing requirements if work or other commitments are too great.

### **2.5.5 Notification of absence**

If you are unable to attend or are absent from a scheduled face-to-face workshop or oral assessment, you must notify your lecturer and student services in writing giving reasons for your absence, including a medical certificate if the absence is due to illness

The Program Director may at his/her discretion require any work missed to be made up in the

same or a subsequent Offering. A fee may be charged where alternative assessment dates are arranged.

### **2.5.6 Minimum rate of progress**

While the College allows for deferrals in appropriate circumstances, you must have completed all components of the PLT Program within four years of commencing the Coursework Component.

Rules in respect of minimum rate of progress in relation to the Work Experience Component are found in the Work Experience Rules. The CPE Component can be completed while enrolled in the Coursework Component. The College allows students access to the CPE courses after completion of the Coursework Component.

Students who have not completed all components within four years must apply to commence the PLT Program from the beginning (including the payment of a further tuition fee).

### **2.5.7 English proficiency**

Competency in spoken and written English is required to commence the PLT 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), 7.5 (speaking), 7.0 (reading), 7.0 (listening) and 7.5 overall..

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

Further information is available from the Manager of Student Services.

## **2.6 Assessment procedure (see also Assessment Rules)**

### **2.6.1 Academic requirements**

The program, content and assessment in each Subject are described in the relevant coursework materials and timetable. You must complete any test, task, activity, assignment, coursework, video assessment, court appearance, oral assessment or any other assessment task undertaken as part of the PLT Program requirements prescribed by the College using only the resources authorised by the College.

Part Program students are only required to complete tasks, activities and assessments in the Subjects in which they are enrolled.

### **2.6.2 Assessment Rules**

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

### **2.6.3 Disability and disadvantage**

If you require special consideration 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 Manager of Student Services and the lecturer at least 14 days before the assessment. You should include a medical certificate and/or other relevant evidence in your application.

The Manager of Student Services in consultation with the lecturer and, if necessary, the Program Director may make such special arrangements, facilities available or allow additional time for the assessment.

#### **2.6.4 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.

#### **2.6.5 Assessment locations**

If attendance in person is required for an assessment, you will be expected to undertake the assessment at the location nominated by the College.

If you wish to undertake your assessment at a different location, you must apply to the Manager of Student Services, in writing, 21 days before the date of the assessment and provide reasons for your request to complete the assessment at that location. It is also your responsibility to find an academic institution acceptable to the College willing to administer the assessment(s). The arrangement of an alternative location depends on the College being satisfied with the institution proposed by the student and the availability of any particular alternative cannot be guaranteed.

If your application is approved it may be that there will be fees charged by the institution where the assessment will take place – this will not be the case where the personal assessment is at College premises. You will have to pay the fees of the institution where the assessment is held. Payment details will be advised following finalisation of arrangements.

In some circumstances, an assessment that normally requires attendance in person may be undertaken by video or web conference. In these cases you will be required to pay all costs associated with a video or web conference. The College will not approve an oral 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.

#### **2.6.6 Timetable and attendance**

Assessments will be on the dates and at the times shown in the relevant calendar or timetable. For your individual assessments you may be required to book a time with your lecturer or assessor. Where appropriate, the Program Director or Manager of Student Services may allocate the times of those assessments.

The College 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.

### **2.6.7 Absence from an entire assessment**

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

- notify your lecturer 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 lecturer, in consultation with the Program Director, may make any special arrangements as the Program Director thinks fit. A fee may be charged where alternative assessment dates are arranged. The Assessment Rescheduling Fee amount is listed under Fees on the College website.

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

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

- notify your lecturer, 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 lecturer, in consultation with the Program Director, may not alter the result of the assessment but may permit you to attempt another equivalent assessment on such conditions as the lecturer in consultation with the Program Director, thinks fit.

### **2.6.9 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.

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

Where possible, feedback will be given to you on tasks, activities and oral assessments

Procedures are in place to ensure that grading is carried out fairly and consistently. Before final grades are issued:

- any inconsistencies in grading are investigated, and
- failures are reviewed.

### **2.6.11 Notification of results**

You may access your results and/or check the status of your Work Experience and Continuing Professional Education components online. You can only access your own details.

Your results will be posted online as soon as they are available.

After the end of the Coursework Component a transcript of your final results in each Subject, will be made available to you. You should make sure that the College has your correct address for correspondence after the Program concludes, if it is not the address shown on our records at enrolment. Alternatively the College will, at your request, either:

- send your transcript to you through the DX if you have access to the document exchange
- hand your transcript to you in person.

Students in Part Programs receive only a Certificate of Completion which notes Subjects successfully completed.

### **2.6.12 Supplementary assessments**

If you do not pass a Subject at your first attempt you will be required to sit a second assessment in the relevant assessment. You may be required to undertake remedial work, including mentoring, before being eligible to sit a second assessment.

The maximum grade that can be awarded to a student sitting a supplementary assessment is a Pass grade.

You should contact Student Services to arrange a time for supplementary assessment.

### **2.6.13 Consequences of failure of a Subject after a supplementary assessment**

If you fail a Subject twice you must contact Student Services to arrange mentoring by the relevant subject coordinator or other nominee of the Program Director to discuss the failed assessments. The Subject coordinator or nominee may require you to satisfactorily complete additional work. You may then apply to the Assessment Review Committee (ARC) for permission to do a third assessment. If your additional work is satisfactory, the Subject coordinator may make a recommendation to the ARC, in support of your application.

If the ARC refuses permission for a third assessment, you must transfer to a subsequent Offering to complete the Subject, pay the appropriate fees, do the coursework required by the ARC and undertake assessment during that Offering, unless the ARC determines that a different procedure is appropriate in the circumstances.

If the ARC grants permission for a third assessment 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.

### **2.6.14 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 PLT 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 7 days
- conduct the investigation, and
- report the result of the investigation to the Chief Academic Officer within 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 Subject has been unsatisfactory and require you to transfer to a later Offering to repeat the relevant Subject.

##### 3.1.3 Academic misconduct

If the Program Director determines that there is a case to answer regarding an allegation of academic misconduct that warrants investigation, then the Program Director will:

- advise you of that determination in writing within 7 days
- conduct an investigation, and
- report the result of the investigation to the Chief Academic Officer within 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 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 PLT Program, or Subject has been unsatisfactory and require you to transfer to a later Offering to repeat the whole PLT Program, Subject, coursework task, activity or assessment.
- award you a zero mark for the results of any or all forms of assessment for a Subject
- withhold your results
- suspend you for a period not exceeding six (6) months
- exclude you from PLT Program components for a specified period, and/or
- impose conditions in relation to your participation in the PLT 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 telephone or video conference where most convenient to all parties.

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

The Director, Academic Policy and Quality is the Student Liaison Officer. The Student Liaison Officer can give you guidance in the conduct of complaints and disputes. If you have a grievance or complaint that cannot be resolved internally, the Student Liaison Officer 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 set up a meeting with you within 7 days in order to seek a resolution. The Chief Academic Officer, or his/her delegate, will resolve the complaint within 14 days of the meeting.

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 determination of the Chief Academic Officer.

#### **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.

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.

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 7 days in order to seek a resolution. The Assessment Review Committee will resolve the complaint in accordance with the procedures in the Assessment Rules

- 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.
- 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.
- 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.

Any student who is dissatisfied with a final grade awarded in a subject may apply in writing to the Program Director within 14 days of the publication of the result. The application must be accompanied by the non-refundable administrative charge, as listed on the College website.

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.

#### **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 [www.oso.gov.au](http://www.oso.gov.au) or phone 1300 362 072.

## Access to College Premises and General Conduct

### 5. Rules 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. 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 PLT 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 in 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 PLT 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 of students**

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 by the last day of the Subject. 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 Practice papers and coursework materials**

Your fees include payment for access to practice papers and coursework materials, appropriate for your Program, which will be available online and/or distributed to you in hard copy during the Coursework Component and Clinical Experience Module (if applicable). Hard copy practice papers will be issued to PLT Program students to keep. You may print copies of online materials, in which the College has copyright, at your own cost and subject to 5.3.3 below.

If for any reason you need additional copies or replacement of any materials given to you in hard copy, you must contact Student Services. 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 publications 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 employer or your employer's clients or any other persons. Access to subscription databases is restricted by licences for use only during the specified course Offering commencement and completion 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 submitted coursework**

The College reserves the right to retain the original or one copy of work submitted by you as part of the Coursework Component of the PLT Program, 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 College in writing or by email to: [support@collaw.edu.au](mailto:support@collaw.edu.au).

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

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**

The College may display notices on notice boards on the premises. You should acquaint yourself with those notices that concern you.

If you fail to read any notices, or misread or misunderstand any notice, this will not be accepted as a reason for your being unaware of the contents of the 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 (ie, 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

- 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 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 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.
- 2.3 If you excluded under 2.1 or 2.2 from a class or Program component, the staff member who excludes you must notify the Program Director as soon as practicable after the exclusion takes place for determination under these rules.
- 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, when determined by the Program Director in accordance with these rules.
- 2.5 If a member of College staff suspects you of student non-compliance in relation to the policies, procedures and rules during an assessment, 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 non-compliance by you, the Program Director:
- (a) must give you a reasonable opportunity (being a period of not less than 7 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 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 PLT Program components for a specified period
  - (d) exclude you from College premises for a specified period
  - (e) if the student non-compliance involves loss or damage to property of the College require you to pay an amount not exceeding the amount of the loss or damage
  - (f) impose conditions in relation to your participation in the PLT Program or your use of College premises
  - (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 PLT Program Manual.
- 3.3 The Principal, where obliged to, will report the fact and the circumstances of the non-compliance involving unsatisfactory academic conduct or academic misconduct to any one or more of the following:
- the College Board
  - the College of Law Academic Board
  - the admitting authority in the relevant jurisdiction.

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).

4.3 Appeals against findings of non-academic non-compliance lie to the Principal.

## APPENDIX 2 - Assessment Rules

### 1. Application of these rules

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

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

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

### 3. Criteria for assessment

- 3.1 The assessment requirements for each Subject are described in the relevant Subject information page.
- 3.2 To pass a Subject in a Program, you must satisfy the assessment requirements for that Subject at a pass grade or above.
- 3.3 To pass the PLT Program, you must:
  - pass each compulsory Subject of the Coursework Component
  - pass two elective subjects , and
  - complete the Work Experience Component and
  - complete the Continuing Professional Education Component.
- 3.4 To pass an Applied Law Program, 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 PLT Program and, in appropriate circumstances, reference to the admitting authority in the relevant jurisdiction (see Chapter 3 of this manual).

### 4. Assessments in a Subject

The College conducts assessments at the times shown in the 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 coursework in a Subject – PLT Program

- 5.1 You must complete all coursework in a Subject within the time shown in the timetable. Failure to comply with time limits may affect your eligibility for assessment.
- 5.2 If you are unable to submit any coursework, you may request an extension from your lecturer of up to 3 days. You must request the extension in writing and provide reasons. The lecturer has absolute discretion whether to allow the extension. Should you require an extension of more than 3 days, you must apply in writing to the Program Director,

setting out your reasons and the date by which you propose to submit the relevant coursework. Approval is at the discretion of the Program Director.

- 5.3 If you fail to obtain an extension prior to the timetabled due date for submission, it is at the lecturer's discretion whether or not they provide feedback and the timeframe in which it is provided, if at all.

## 6. Grading in Subjects

- 6.1 The College will grade you in each subject in accordance with the following table:

Grade	Criteria
High Distinction	Comprehensive and deeply insightful understanding of the subject
Distinction	Very good and comprehensive understanding of the subject
Credit	A good understanding of the subject
Pass	An adequate understanding of the subject (in the PLT Program at the standard that would be expected of an entry-level lawyer)
Fail	An insufficient or incomplete understanding of the subject (in the PLT Program below the standard expected of an entry-level lawyer)

The Subject Lawyer's (Professional) Skills is assessed on a Satisfactory/Not Satisfactory basis.

### 6.2 Review of grading

Any student who is dissatisfied with a final grade awarded in a subject may apply in writing to the Program Director within 14 days of the publication of the result. The application must be accompanied by the non-refundable administrative charge.

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.

- 6.3 If you are dissatisfied with the determination of the Program Director you may appeal the decision to the Assessment Review Committee. Such appeal must be received in writing by the Manager Student Services within 7 days of the notification from the Program Director. If you want to make a submission based on illness or misadventure, your submission must include medical or other appropriate evidence.
- 6.4 You may appear personally before the Assessment Review Committee and make oral submissions, or make submissions in writing.
- 6.5 If the Assessment Review Committee decides that the grade does not reflect your performance in a Subject, it may determine an alternative grade or defer your final assessment in the Subject until you complete such further work and assessments as the Assessment Review Committee sees fit.

## 7. Appeals Committee

- 7.1 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
- the assessment requirements or procedures were changed contrary to these rules.

7.2 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.

7.3 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.

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

7.5 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.

## **8. External Appeals Panel**

8.1 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.

8.2 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.

8.3 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.

- 8.4 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.
- 8.5 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.

## **9. Exemption from attendance requirements**

- 9.1 The College may exempt you from attendance requirements where there are exceptional circumstances of medical or personal hardship.
- 9.2 If you want to make such an application, you must apply in writing to the Program Director.
- 9.3 If the College grants you an exemption, you must still comply with all the assessment criteria.

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

- 10.1 All work which you submit for assessment or participation 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 section of this manual.
- 10.2 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.
- 10.3 You must not permit another student, ex-student or prospective student to have access to or submit your work or any part of it.
- 10.4 You must not acquire or be in possession of or distribute assessment materials or marking guides for any assessment task.
- 10.5 The College may require you to certify that work which you submit for assessment or participation in the Program complies with these Rules.

In any case where copying or other Plagiarism, Collusion, Cheating or non-compliance with these Rules has occurred, refer to the Program Manual at 3.

## **11. Nomination of other officers, committees or boards**

- 11.1 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

### *PLT Program*

- 1.1 The College sets no criteria for selection into the PLT 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 Offering by the published enrolment date
- a student must complete the enrolment form (including the acknowledgment of penalty to be enforced by the College against students who withdraw from an Offering after commencement but prior to the Census Date).

#### **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 academic law subjects to be undertaken, as advised by the relevant admitting authority
  - a student must enrol in a given Offering by the published enrolment date
  - a student must pay the tuition fee by the published enrolment date.
- 1.2 In certain circumstances, the relevant admitting authority may approve commencement of the PLT Program prior to completion of a law degree (or other qualification entitling them to be admitted as a legal practitioner).
- 1.3 The College will only accept enrolments under 1.2 upon receipt of appropriate evidence in writing of approval from the relevant admitting authority.

### ***Applied Law Program***

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
  - with the exception that 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.

## 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 Offering 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 Program.

### 2. Special circumstances

2.1 The College considers that special circumstances exist as described in Clause 42.4 of the Higher Education Administrative Information for Providers (AIP) created under the Higher Education Support Act 2003.

2.2 Without limiting the generality of clause 42.4 of the AIP Guidelines, 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 of Student Services 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 original Offering in which the student was enrolled and received Commonwealth Assistance Notice.

4.2 The Manager of Student Services may, at his or her own discretion, waive the requirement for the application to be made within the application period, if the Manager of Student Services is satisfied that the application could not possibly have been brought within that time.

### 5. Reasons for decision

5.1 Once the Manager of Student Services has determined whether or not special circumstances exist which warrant the recrediting of FEE- HELP balance, the Manager of Student Services will notify the applicant as soon as is practicable.

5.2 In giving notice under clause 5.1, the Manager of Student Services will always 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 of Student Services' decision under clause 5, the applicant may apply in writing to the Review Officer for a review of the Manager of Student Services' decision.
- 6.2 The Review Officer at the College of Law is the Director, Academic Policy & Quality.
- 6.3 An application for review of the Manager of Student Services' decision must be made within 28 days of the student having received the Manager of Student Services' notice of decision.
- 6.4 An application for review of the Manager of Student Services' 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 will give written notice of the outcome of a decision including reasons for the decision and advise the applicant of his or her right to appeal the decision of the Review Officer in the Administrative Appeals Tribunal if the applicant is unsatisfied with the Review Officer's decision.

## **7. Appeal to AAT**

- 7.1 A student who remains unsatisfied 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 (Cth) or his or her delegate.
- 7.4 For information regarding the registry closest to you and filing fees, refer to the AAT website at <http://www.aat.gov.au/>. Filing fees are subject to change, but the fee as at May 2015 was \$861 (unless a reduction applies), and may be considered indicative of likely costs for the medium term.

## APPENDIX 5 – Work Experience Rules

### *Work Experience Rules*

The College of Law Practical Legal Training Program (the Program) satisfies the practical legal training requirements for direct admission to legal practice in Australia.

The Program consists of three components:

1. The Coursework Component
2. The Work Experience (WE) Component (part of which may be completed by undertaking the Clinical Experience Module - CEM), and
3. The Continuing Professional Education Component (CPE).

### Definitions

Term	Definition
Legal practitioner	A legally qualified person, however called, who holds a practicing certificate in an Australian jurisdiction
Work Experience Component ( <i>WE</i> )	One of the 3 <i>Program</i> components to be undertaken by students in order to satisfy the requirements for completion of the Program. Students may elect to satisfy part of this component by undertaking the <i>CEM</i>
Clinical Experience Module ( <i>CEM</i> ) (rule 5)	An alternative program of practical activities, completion of which will substitute for 50 days of the <i>WE</i> Component
Minimum Period of WE (rules 3 & 8)	15 days either concurrent with or after completion of the <i>Coursework Component</i>
Additional Period of WE (rules 3 & 8)	Either 60 days if undertaking 75 days of <i>WE</i> or 10 days if undertaking the <i>CEM</i>
Work Experience Committee ( <i>WEC</i> )	The Work Experience Committee
Continuing Professional Education ( <i>CPE</i> )	The Continuing Professional Education Component which requires a declaration to evidence its completion

### Rules

Rule	Sections
1. The application process	<p>1.1 In order to have your <i>WE</i> placement approved you must complete the <i>WE</i> Application for Approval of Placement (including retrospective placements) and submit it to the <i>WEC</i>.</p> <p>1.2 Approval in accordance with 1.1 should be obtained before you commence the <i>WE</i>. Students contemplating overseas <i>WE</i> placements must refer to Rule 8.</p> <p>1.3 If you do not obtain approval before you commence the <i>WE</i> placement, then retrospective approval of the <i>WE</i> will be at the discretion of the <i>WEC</i> but subject to the requirements of any relevant</p>

Rule	Sections
	<p>regulatory body.</p> <p>1.4 When you complete an approved <i>WE</i> placement you must submit an original <i>WE</i> Declaration which:</p> <ul style="list-style-type: none"> <li>(a) confirms and details dates of the <i>WE</i> undertaken in accordance with these rules;</li> <li>(b) confirms that you have been supervised by the approved supervisor; and</li> <li>(c) includes an acknowledgement signed by the approved supervisor.</li> </ul> <p>1.5 If you are undertaking the 75 day option for <i>WE</i> you must:</p> <ul style="list-style-type: none"> <li>(a) complete and submit a reflective journal in the prescribed form in respect of the <i>Minimum Period of WE</i>;</li> <li>(b) ensure the reflective journal is signed by an approved supervisor during the <i>Minimum Period of WE</i>.</li> </ul> <p>1.6 If you are undertaking the <i>CEM</i> the reflective journal is not required as reflection occurs during the <i>CEM</i> coursework.</p>
2. Nature of <i>WE</i>	<p>Your <i>WE</i> must occur in the delivery of legal services and include:</p> <p>2.1 application of legal knowledge and skills to the resolution of real-life legal problems;</p> <p>2.2 experience of procedures and dynamics commonly found in offices in which legal services are provided;</p> <p>2.3 experience in the process of becoming a professional practitioner of the law including the majority of:</p> <ul style="list-style-type: none"> <li>(a) significant contact with external or in house clients of the <i>WE</i> placement;</li> <li>(b) drafting documents;</li> <li>(c) legal research; and</li> <li>(d) using a file management system.</li> </ul> <p>2.4 If only part of your <i>WE</i> placement satisfies all other rules then the <i>WEC</i> may consider an application, accompanied by a submission signed by your supervisor as to the percentage of compliant <i>WE</i> undertaken.</p>
3. Time limits for <i>WE</i>	<p>3.1 All <i>Program</i> components must be completed within a 4 year period.</p> <p>3.2 The <i>Additional Period of WE</i> may be undertaken either before, during or after the <i>Coursework Component</i>. The <i>Minimum period of WE</i> must be undertaken concurrently with or after the <i>Coursework Component</i>. In any case you can only accrue 2 days <i>WE</i> per week during the full time <i>Coursework Component</i>.</p> <p>3.3 If you complete the <i>Coursework Component</i> first, you must commence the <i>WE</i> Component within 2 calendar years of completing the <i>Coursework Component</i>.</p> <p>3.4 If you complete the <i>Additional Period of WE</i> Component first, you must commence the <i>Coursework Component</i> within 2 calendar years of</p>

Rule	Sections
	<p>completing the <i>Additional Period</i> of the <i>WE</i> Component.</p> <p>3.5 In addition, if you undertake the <i>CEM</i>, then rule 5 applies.</p>
<p>4. Required duration of <i>WE</i></p>	<p>If you are not undertaking the <i>CEM</i>, then rules 4.1 – 4.7 apply. If you are undertaking the <i>CEM</i>, then rules 5.1- 5.7 apply.</p> <p>4.1 <i>WE</i> must total 15 weeks (the equivalent of 75 days).</p> <p>4.2 You can undertake up to 60 days of the <i>WE</i> within the 2 years preceding commencement of the <i>Coursework Component</i>.</p> <p>4.3 15 days of the <i>WE</i> must occur in Australia and be accrued concurrent with or after the <i>Coursework Component</i>.</p> <p>4.4 The 75 days of <i>WE</i> may be made up by aggregation of multiple placements. Each placement may consist of multiple periods of <i>WE</i> provided that each period is at least 1 day per week (7 working hours), which can be made up of 2 or more half days (4 hours) in any week.</p> <p>4.5 <i>WE</i> may be undertaken on weekends.</p> <p>4.6 The maximum <i>WE</i> that will be recognised in any 24 hour period is 1 day.</p> <p>4.7 If you undertake the <i>Coursework Component</i> full time then you can only accrue 2 days <i>WE</i> per week during the <i>Coursework Component</i></p>
<p>5. The <i>CEM</i></p>	<p>If you are undertaking the <i>CEM</i> then the following rules also apply. You must:</p> <p>5.1 (a) submit the <i>CEM</i> enrolment form.  (b) complete 25 days of <i>WE</i> before commencing the <i>CEM</i>.  (c) if you are undertaking the <i>Coursework Component</i> Full Time you must successfully complete it before commencing the <i>CEM</i>.  (d) if you are undertaking the <i>Coursework Component</i> Part time you may undertake the <i>CEM</i> concurrently with or after you have successfully completed all coursework up to and including week 15.</p> <p>5.2 To be eligible for consideration <i>WE</i> must be undertaken in the 2 calendar years prior to commencement of the <i>CEM</i>. The <i>minimum period of WE</i> must be undertaken after or concurrently with the <i>Coursework Component</i>.</p> <p>5.3 The <i>WE</i> may be made up by aggregation of multiple placements. Each placement may consist of multiple periods of <i>WE</i> provided that each period is at least 1 day per week (7 working hours), which can be made up of 2 or more half days (4 hours) in any week.</p> <p>5.4 <i>WE</i> may be undertaken on weekends.</p> <p>5.5 The maximum <i>WE</i> that will be recognised in any 24 hour period is 1 day.</p> <p>5.6 In addition to the 25 days <i>WE</i> you must satisfactorily complete the <i>CEM</i> coursework activities.</p> <p>5.7 If you undertake the <i>Coursework Component</i> full time then you can only accrue 2 days <i>WE</i> per week during the <i>Coursework Component</i>.</p>

Rule	Sections
6. Placement requirements	<p>6.1 Your <i>WE</i> placement must be supervised and can be undertaken with:</p> <ul style="list-style-type: none"> <li>(a) a legal practitioner in private practice; or</li> <li>(b) any government, semi-government or corporate legal office or department, employer or employee association, recognised by the <i>WEC</i> as being a place in which appropriate <i>WE</i> might be undertaken; or</li> <li>(c) a judge to carry out legal research and provide legal services; or</li> <li>(d) a tribunal member (who is a legal practitioner) to carry out legal research and provide legal services; or</li> <li>(e) a Community Legal Centre, as defined in the relevant statute governing the legal profession in the Australian jurisdiction where you are undertaking the <i>WE</i>; or</li> <li>(f) any other person or organisation which the <i>WEC</i> recognises as being a placement in which the applicant might undertake appropriate <i>WE</i> as described in rule 2, subject to the <i>WE</i> otherwise meeting the requirements of these rules.</li> </ul>
7. Supervision	<p>7.1 A person may be a supervisor if he/she:</p> <ul style="list-style-type: none"> <li>(a) holds a full practising certificate as a legal practitioner; or</li> <li>(b) holds a restricted practising certificate as a legal practitioner which he/she has held for 2 years; or</li> <li>(c) is a person admitted to the legal profession by the Supreme Court of any Australian jurisdiction who is eligible to hold a practising certificate and who provides written submissions to the <i>WEC</i> that satisfy the Committee that he/she can provide appropriate practical experience; or</li> <li>(d) is a judge; or</li> <li>(e) is a tribunal member who is a legal practitioner.</li> </ul> <p>7.2 A supervisor must not have been the subject of an adverse finding by any relevant court, licensing authority or disciplinary body under the law governing the legal profession in any relevant jurisdiction unless he/she makes full disclosure to the <i>WEC</i> and the <i>WEC</i> is satisfied that the adverse finding should not preclude the person from being a supervisor.</p>
8. Jurisdiction of placements	<p>8.1 The <i>Minimum Period of WE</i> must be undertaken in Australia.</p> <p>8.2 The <i>Additional Period of WE</i> may be undertaken in Australia or outside Australia if that experience is undertaken in a common law jurisdiction or practising common law and the supervisor:</p> <ul style="list-style-type: none"> <li>(a) holds a practising certificate issued by a common law jurisdiction; and</li> <li>(b) is in all other respects regarded by the <i>WEC</i> as a satisfactory supervisor.</li> </ul> <p>8.3 If the supervisor holds a practising certificate outside of Australia you must also provide copies of:</p> <ul style="list-style-type: none"> <li>(a) the supervisor's licence/practising certificate; and</li> <li>(b) the supervisor's academic qualification in law.</li> </ul>

Rule	Sections
9. Constitution of the <i>WEC</i>	<p>9.1 There is a <i>WEC</i> which 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>9.2 Members of the <i>WEC</i> may hold office for 2 years and maybe reappointed.</p> <p>9.3 The Executive Director of the state in which a student is enrolled or intends to enrol, the Student Services Manager and the Senior Student Services Officer are ex officio members of the <i>WEC</i>.</p> <p>9.4 The <i>WEC</i> may regulate its own procedures in implementing these rules.</p>
10. Dispensation from compliance with these rules	<p>10.1 Subject to the requirements of any relevant regulatory body, the <i>WEC</i> 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> <p>10.2 In cases of dispensation, the College Principal is the Executive Officer with responsibility for co-ordination of the <i>WEC</i> and the <i>WE</i> rules and is authorised to dispense with so much of these rules as is necessary to give effect to the overall purpose and requirements of these rules as they might apply to any individual case or circumstance.</p>
11. Rejection of applications	<p>11.1 If the <i>WEC</i> refuses to approve your <i>WE</i> application, then the <i>WEC</i> must provide you with written reasons within a reasonable time of the refusal.</p>
12. Appeals process	<p>12.1 There is an Appeals Committee which is appointed by the College Board.</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, irregularity or improper exercise of the <i>WEC</i>'s discretion under Rule 10 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 <i>WEC</i> with such directions as it sees fit; or</li> <li>(c) substitute its own determination of your application for that of the <i>WEC</i>.</li> </ul>