

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.