

## **Academic Rights and Responsibilities**

The Law School attempts to ensure that all students have the right to a productive and supportive learning environment free from bullying, harassment and discrimination.

We acknowledge that despite our best efforts, sometimes students have grievances. Procedures exist with respect to grievances: they are noted below.

It should also be noted that as students, you have responsibilities in class and at the University generally. For example, in class, you must not distract the learning of others and must not make personal or disparaging comments. The University's statute 13.1, 'Student Discipline', outline the kinds of conduct that amount to general and academic misconduct: <http://www.unimelb.edu.au/ExecServ/Statutes/s131.html>

## **Academic Rights and Assessment**

The academic rights of students to fair and objective assessment are protected by a range of practices and procedures, to ensure fairness and equity. This range includes:

- collaboration among teachers in multi-stream subjects, when setting assessment tasks: to elaborate, this involves the design of assessment tasks to ensure fairness to all streams. For example, all assignment tasks and exams are scrutinised and reviewed very carefully to ensure all students in all streams are able to undertake them successfully
- design of assessment tasks with all students' needs in mind, including ESL and international students (to avoid cultural and linguistic bias)
- collaboration among markers in multi-stream subjects regarding assessment criteria
- where appropriate and practical, use of multiple examiners for each students (this may depend, in part, on the subject's choice as to whether students are marked by stream or not; this will depend on a number of pedagogical matters including views regarding how to best provide feedback)
- in multi-stream subjects, reliability checks are used as between markers, before formal marking commences
- all assessment tasks must be double marked before a student can be awarded a final grade that amounts to a 'fail'
- some double marking of H1 papers
- in multi-stream subjects, some random checking of papers at borderline grades, across markers
- checking word limits, so all students are treated equitably
- use of plagiarism detection devices, so all students are treated equitably
- presumptive quotas, in accordance with Faculty policy, are used prior to entering final grades
- where appropriate and practical, anonymous marking is used to avoid gender and ethnicity bias
- use of Special Consideration procedures, which allow for mark adjustments and alternative arrangements, to recognise extraordinary intervening circumstances. These procedures are administered centrally within the Faculty according to University guidelines to avoid arbitrariness and to ensure fairness: see below.
- Fair and consistent procedures for granting extensions. These too are centrally administered within the Faculty to avoid arbitrariness and to ensure fairness: see below.

The Undergraduate Studies Office is your first port of call for any undergraduate studies queries you may have at the Law School, including Special Consideration, extensions and so on.

The Office administrators can also assist you if you are curious about a particular mark you received for an essay or exam, and you would like to discuss your assessment with the relevant lecturer. You should of course first try to contact your lecturer (and then the subject coordinator) yourself; if you are having difficulty doing so, the Office may be able to assist you.

To contact the UGS Office, phone 8344 4475 or email [ugs@law.unimelb.edu.au](mailto:ugs@law.unimelb.edu.au).

### **Requests for extensions of time for assignment & take-home exam submission**

If you encountered hardship during or prior to the date of submission of assessment and it affected your ability to complete it in time, you may want to apply for an extension of time for your assignment due date. Applications generally have to be lodged at least seven days before your assignment is due (although applications lodged later than this may be accepted if you have a satisfactory explanation for the delay) and should be accompanied by relevant documentation. This may include documentation from a professional such as a doctor or counsellor who is aware of your situation.

See the web: <http://undergraduate.law.unimelb.edu.au/go/current-students/course-rules-and-policies/index.cfm>

Application forms are available from the Undergraduate Studies Office (UGS) or on the web and will be considered by UGS staff. Due to the volume of applications received, the UGS office does not send out letters to students if they are granted an extension. Instead the onus is on you, the student, to contact the UGS office within three working days of lodgement to see if the extension has been granted.

UGS staff keep records of all extension applications and new due dates for assignments where students have been granted extensions. It is also useful to make a note of any extension given on the front cover sheet of your assignment before you submit your essay to the UGS office on the new due date. Note that it is likely that assignments submitted after the original due date, with or without an extension, will not be returned by the date nominated for return of work filed in due time. If you are not granted an extension and hand your work in after the official due date, you will be penalised. The penalty rate is outlined in detail on the web: <http://undergraduate.law.unimelb.edu.au/go/current-students/course-rules-and-policies/index.cfm>

## Special Consideration

If you feel your study has been affected to a significant degree by personal, health or other issues during the semester, you may apply for special consideration. Special consideration may be sought in relation to both assignments and exams. Forms are available online at <https://sis.unimelb.edu.au/cgi-bin/special-consideration.pl>.

The special consideration process allows due consideration to be given to hardships a student has experienced during the semester when the student's final result is determined. There may be many different grounds for special consideration, and you don't just need to have a medical or physical problem to apply. For example, financial crises outside the student's control, e.g., family bankruptcy or currency crises, or personal issues such as relationship breakdowns are all valid reasons to apply. You should also be aware, however, that having multiple exams in a short period of time and computer failure are not considered to be valid reasons to apply for special consideration.

There are general criteria that you must satisfy:

- The problem or difficulty needs to have affected you substantially during the performance of a component of assessment.
- Your illness or cause must have in some way affected your ability to complete or have prevented you from preparing for all or part of a component of your assessment.
- You must submit your online application within three working days of an exam or assessment due date. If you are submitting one application for multiple subjects, your application must be submitted within three working days of the date of the final piece of assessment for the subject which has the earliest date for the final piece of assessment. If your problems are ongoing throughout the semester you can also indicate this.
- Applications received after three working days will be considered late. It is University policy that Faculties must send late applications to the Academic Registrar. The Academic Registrar will consider reasons given for lateness and decide whether or not to accept the application. If the application is accepted by the Academic Registrar, it will be sent back to the Faculty for assessment. The Law Faculty is not able to overrule a decision by the Academic Registrar.
- Note also that it is only in exceptional circumstances that special consideration will be granted after your result has been published.

You must also have a Health Care or Appropriate Professional (HCAP) Form completed to support your application. The HCAP form provides the university with documentation to support your request for special consideration. The HCAP form can be downloaded when you make your application online.

The HCAP should be completed by an appropriate professional who is familiar with your situation and is able to provide an evaluation of the severity of the circumstances that caused disadvantage. Special consideration applications are judged very carefully so you need to make sure that you provide reliable and persuasive evidence to the committee.

Regardless of when you have applied for special consideration, the Special Consideration Committee will only consider your application at the end of the semester in which you complete your subject. Thus, even if you apply for special consideration in respect of a mid-year or mid-semester essay, your application will not be reviewed until the rest of your assessment has been completed. This means that at the time of marking, your lecturer will have no idea that you have grounds for special consideration. Instead, it is only at the end of the semester that your lecturer will be notified that the committee has granted you special consideration, thus recommending that your result be adjusted or a supplementary exam be granted in appropriate circumstances. In spite of this, however, the earlier you apply for special consideration, the better.

The outcome of your application can result in one of the following recommendations: you may be given an opportunity to complete additional assessment such as a supplementary exam; your mark in relation to an exam, essay or other assessment may be altered; you may be allowed an extension of time for submission of a component of assessment; or it may be found that no action is to be taken.

### **Supplementary Exams**

Supplementary exams ('supps') are held in the summer or long semester break following the completion of the relevant subject. Supps are granted in a limited number of situations, the most common of these being where the Special Consideration Committee has made such a recommendation.

A new rule introduced in 2006 allows for an exam to be granted if you failed a compulsory subject with an overall grade of 48% or 49%. You will be given a WH; the additional exam is then worth 100% of the subject. When you sit the exam, you are graded to a maximum of 50%.

See the web for details: <http://undergraduate.law.unimelb.edu.au/go/current-students/course-rules-and-policies/index.cfm>

### **Unsatisfactory Progress Committee**

Most faculties within the university hold UPC hearings at the end of each semester. This is a meeting held between the Faculty (represented by the Unsatisfactory Progress Committee) and the student to discuss the student's academic performance during the previous semester. A number of issues can affect a student's progress including the following; difficulty in making the transition to first year at university; personal issues including family and relationship breakdowns, financial problems, unsuitable study environment, housing problems; over-commitment (e.g. sport, work, family responsibilities etc.); health problems; language difficulties; lack of motivation and/or poor study and exam habits.

If you need advice or support, visit the SUAS Student Support Advisors at the third-floor office at Union House. The advisors can offer suggestions tailored to your individual situation, help you write your submission, refer you to support services and/or attend hearings with you as your support person. Drop in or phone the advisory service on (03) 8344 6546. You can also email [suashelp@union.unimelb.edu.au](mailto:suashelp@union.unimelb.edu.au). The Student Union Advisory also runs information sessions on the UPCs. It is best to contact the service for dates and times.

## Grievances

### *Generally*

Sometimes at Uni things may go wrong and you may want to make a complaint or take action to address a particular problem. The university has a student grievances policy that sets out how some kinds of complaints can be managed. It can be found at [www.services.unimelb.edu.au/grievances](http://www.services.unimelb.edu.au/grievances). The grievance procedure can also be found in the rules and regulations section of your student diary.

### *Administrative*

Administrative grievances relate to decisions and actions associated with administrative or academic services. They include but are not limited to administration of policies, procedures and rules by central administrative and student support groups, faculties and departments, including discrimination, sexual harassment and bullying; a decision by an administrative staff member that affects an individual or groups of students; and access to university resources and faculties. Details of the policies and procedures for dealing with student and staff discrimination, and sexual harassment are set out in the University's sexual harassment and discrimination complaints policies and procedures. They can be found at [www.hr.unimelb.edu.au/equal-opportunity](http://www.hr.unimelb.edu.au/equal-opportunity). The procedures set out in these policies should be followed for grievances of these types. Any students or staff seeking advice about bullying should contact an anti-discrimination advisor to discuss the matter. Contact details are provided at [www.hr.unimelb.edu.au/anti-discrimination/](http://www.hr.unimelb.edu.au/anti-discrimination/).

If you feel you have been discriminated against in some way, you should also seek advice from the Student Union Advisory Service (SUAS). The complaints procedure concerning discrimination is at regulation 17.2.R3:  
<http://www.unimelb.edu.au/ExecServ/Statutes/s172.html>

Please note that much of this information is in your student diary.

Sometimes the issue may be how you have been treated by staff when you seek assistance. Occasionally students report being treated poorly and feel too intimidated to continue with a complaint. If this situation has happened to you, it is best to seek advice from someone who is independent and can assist you in deciding the best course of action.

### *Academic decisions*

Complaints or appeals against academic decisions include, but are not limited to, academic progress decisions; assessment matters; a decision of a member of academic staff that affects an individual or groups of students; selection or admission decisions; content or structure of academic programs; nature of teaching, or assessment; supervision issues for research degree students; and issues relating to authorship and intellectual property.

Generally you should always discuss any concern over assessment with the lecturer, tutor or course coordinator. You have the right to know your grades and marks and the breakdown of each mark, provided there is more than one component. You can ask the lecturer to go over your work and assist you in understanding what you could do to improve. If a problem arises, you may approach the course coordinator or the

Associate Dean (Undergraduate), listing your concerns and all the steps you have taken to try to resolve the matter.

If, in your view, the outcome is still unsatisfactory, you could then write a letter to the Academic Secretary, Central Secretariat, requesting that the Academic Board investigate the matter. However the bases for grievances are quite circumscribed. During the process you may feel confused, frustrated, exhausted or worried that you will be seen to be a troublemaker by the department. It may seem easier to give up. If this is how you feel, it would be wise to make an appointment with an advisor from the Student Union Advisory Service. Student advisors can assist you with each step and, in some cases, approach the department on your behalf. You don't have to face the problem alone.

### *Second marking – overall fails*

University policy states that where a student received a fail overall for a subject, all graded work for that course must be second-marked. Bear in mind that any grades that result in a fail for the subject will automatically be re-marked. Re-marking in other circumstances is not a right within the law school. If your disagreement about assessment is based on academic judgement, there is no right to have the mark altered. There is no possibility of re-marking exams: according to University regulations, once a result is entered in the university system, it cannot be changed unless it is incorrect as a result of mechanical or administrative error.

### *Grievance procedure*

There is an informal and a formal grievance procedure. The first step in the informal procedure is to approach the person directly involved in the decision with which you are unhappy. You should undertake some research to find out what university or faculty policies apply to your situation.

The formal procedure involves putting your grievance in writing. In your letter you should state what is wrong, what you have already done to resolve the problem, and what you want to happen. See the student grievances policy or ask the Student Union Advisory Service with respect to where you should send your letter.

The final recourse for appeal within the university is an Academic Board hearing. Outside the university, complaints can be directed to the Ombudsman or other relevant authorities such as the Equal Opportunity Commission of Victoria. SUAS can provide contact information for the relevant bodies. Note that before complaining to an external body, you should try to resolve your problem through the university's internal procedures. If you would like to clarify your situation through discussion with an independent person, or get advice and information, contact SUAS.