

Student Union Advocacy Service Report 2/2012

July - September 2012

Introduction

The number of students seeking a service has continued to grow throughout this quarter as evidenced in the statistics below. All staff are now settled in and fully inducted into their roles and we have smoothly come through one of the two peak demand periods of the year.

Trends and issues this Quarter

For the most part, matters presenting to the service align with the cycles of the University academic calendar. There are ebbs and flows and fluctuations which equate to orientation, assessment and examination periods and pre and post release of results. Accordingly the most significant presenting issue this quarter was Course Unsatisfactory Progress. Further commentary on this quarter's data can be found below.

One notable aspect of casework during this period has been an increase in the number of general misconduct matters presenting to the service. In this quarter alone, the service assisted three students facing allegations of general misconduct. This was the same as the *total* number of cases of General misconduct presenting for the whole year in 2011.

This casework has disclosed several difficulties with the current student discipline procedures. In several of the matters there were important pieces of evidence to which the student did not have access. Statute 13.1 which governs the management of general misconduct allegations does not require the Senior Officer to make material evidence available to the student, even though they are relying on it to found the allegation itself. Certainly it is available to the General Misconduct Committee who will give weight to it in making their determination. The relevant section of the statute provides only that the student is provided an allegation notice which informs them of any evidence of which the senior officer is aware in relation to the alleged misconduct.

In several recent cases, this has resulted in evidentiary problems – where the student was aware of evidence that they were not able to see themselves and which was also unavailable to the advocate assisting them. For example in one case, the allegation notice set out evidence in the form of CCTV footage of the alleged misconduct. It was not possible to see what the investigator had based their findings on or to present evidence which provided an alternative narrative to the footage. In another matter, digital photographs which the student had already handed over to a member of academic staff were relied upon. As the student no longer had these in their possession, the advocate could not advise on the issues which may need to be addressed in the student's response. This raises potentially troubling issues with procedural fairness. The right to be heard requires that the student and their advocate know the case to be met and are able to put the allegation to the proof. Assuming a student may have an explanation to rebut an interpretation formed by viewing certain evidence; it is extremely difficult to advise a student on how they might approach this when we cannot see the evidence in question. We hope that the Advocacy Service will have the opportunity to provide consultation to development of improved misconduct procedures in future.

Finally we note with approval that interim results from internal assessment have been considered by some of the Academic Board Appeal Committees determining late (mostly post census date) appeals from Course Unsatisfactory Progress Committee (CUPC) decisions. This service has argued in the past that giving consideration to interim results in deciding late appeals may go some way to offsetting the disadvantage caused to students by post census hearing dates – especially when students have already invested significant time and energy in undertaking assessment by the time their appeal is heard. However, in some cases students can select the date or round of CUPC meetings they attend and, where they opt for very late dates, this will result in very late appeals. It might be prudent for the University to monitor whether this practice makes the system vulnerable to strategic behaviours. It would be possible for example for students to deliberately select later dates with a view to obtaining a chance to submit evidence of interim assessment on appeal. This could lead to inequities between those students who can select CUPC dates and those who cannot.

Statistics

Comparative data

July–September 2012

450 students were provided a service resulting in 595 contacts with the service.¹

July–September 2011

344 students were provided a service resulting in 576 appointments at the service.²

Distribution by primary issue:

July–September 2012

Course Unsatisfactory Progress	354	78.32%
Special Consideration	34	7.52%
Assessment Dispute	17	3.76%
Academic Misconduct - Plagiarism	8	1.77%
Supervision Problems	5	1.11%
Academic Misconduct - Exam	4	0.88%
Other	4	0.88%
General Misconduct	3	0.66%
Admission - Selection Appeal	3	0.66%
Course structure/changes	3	0.66%
Not Specified	3	0.66%
Equitable Accommodation (SEAD)	3	0.66%
Student Admin - Enrolment problems	3	0.66%
Vocational Placement Problems	2	0.44%
Incorrect Advice	2	0.44%
Quality Teaching	1	0.22%
Advance Standing Credit/RPL	1	0.22%
Scholarship Issues	1	0.22%
Student Admin - Remission of Fees	1	0.22%

July–September 2011

Under the old data collection system, primary issues were not defined in any consistent way and this often obscured the real issue. For example the use of 'Grievances', 'Administration' and 'Academic Board Appeal' does not disclose the particular problem the student presented with or the process by which it might be resolved.

CUPC	265	71.05%
Academic Board Appeal	60	16.09%
Grievance	26	6.97%
Academic Misconduct	13	3.49%
Administration	6	1.61%
Course	1	0.27%
Other	1	0.27%
Plagiarism	1	0.27%
General Misconduct	0	0.00%

¹ A contact refers to face to face appointments, phone or email communication and attendance with students at meetings or formal hearings.

² An appointment is effectively the same as a contact however we prefer the term contact in the new data collection system as appointment has a more limited connotation.

Distribution by graduate/undergraduate status

July–September 2012

Graduate	116	25.78%
Undergraduate	334	74.22%

July–September 2011

Graduate	63	18.53%
Undergraduate	277	81.47%

Distribution by International/Domestic

July–September 2012

Domestic	331	73.56%
International	119	26.44%

July–September 2011

Domestic	249	73.24%
International	91	26.76%

Distribution of cases over all by Faculty/School – July–September 2012

Science	95	21.25%
Melbourne School of Engineering	83	18.57%
Business & Economics	63	14.09%
Architecture Building & Planning	44	9.84%
Medicine, Dentistry & Health Sciences	38	8.50%
Arts	34	7.61%
Melbourne Graduate School of Education	24	5.37%
Melbourne School of Land and Environment	21	4.70%
Melbourne School of Design	10	2.24%
Melbourne Law School	9	2.01%
Graduate School of Business and Economics	9	2.01%
Melbourne Conservatorium of Music (MCM)	4	0.89%
Melbourne School of Information (IT)	4	0.89%
Graduate School of Humanities and Social Sciences	3	0.67%
VCA	3	0.67%
Engineering (teach out)	2	0.45%
Melbourne Business School (MBS)	1	0.22%

Commentary

The breakdown of graduate to undergraduate students was 116 to 334 compared with 63 to 277 for the same period last year - this represents an increase of 84.12% in graduate students accessing this service. Graduate students as a proportion of students using the service increased by 39.13% over the corresponding period in 2011.

There were 331 domestic students and 119 international students seen in this period (compared with 249 to 91 in the same period last year) – which reflects a relatively static situation.

Unsurprisingly the most significant presenting issue this quarter was Course Unsatisfactory Progress. Our statistics include assistance with the CUPC meeting as well as Academic Board Appeals from those decisions. As July takes in an examination period for coursework students - special consideration and assessment disputes were also well represented.

These three issues form the focus of this report; however further breakdowns against other primary issues and against various demographics are available on request.

Presenting students came from 15 schools and faculties. The faculties of Science, the Melbourne School of Engineering, Business and Economics were the top three, followed by the faculties of Architecture Building & Planning, Medicine, Dentistry and Health Science and Arts. The Melbourne Graduate School of Education and the Melbourne School of Land and Environment were also well represented.

Course Unsatisfactory Progress casework came predominantly from Science, the Melbourne School of Engineering, Business and Economics and Medicine, Dentistry and Health Science. Special consideration matters centred on the Melbourne School of Engineering and faculties of Science and Business and Economics. Assessment disputes were relatively evenly spread across faculties and schools with a slight concentration in the faculty of Medicine, Dentistry and Health Sciences and the Melbourne Graduate School of Education and Melbourne School of Land and Environment.

Course Unsatisfactory progress - By Faculty/School

Science	85	24.01%
Melbourne School of Engineering	65	18.36%
Business & Economics	48	13.56%
Architecture Building & Planning	42	11.86%
Medicine, Dentistry & Health Sciences	31	8.76%
Melbourne Graduate School of Education	18	5.08%
Arts	18	5.08%
Melbourne School of Land and Environment	17	4.80%
Melbourne School of Design	10	2.82%
Melbourne Law School	7	1.98%
Graduate School of Business and Economics	6	1.69%
Melbourne Conservatorium of Music (MCM)	3	0.85%
Engineering (teach out)	2	0.56%
Melbourne School of Information (IT)	1	0.28%
Graduate School of Humanities and Social Sciences	1	0.28%

Course Unsatisfactory progress – by Graduate/Undergraduate

Undergraduate	277	78.25%
Graduate	77	21.75%

Course Unsatisfactory progress – by International/Domestic

Domestic	264	74.58%
International	90	25.42%

Special Consideration - By Faculty/School

Melbourne School of Engineering	10	29.41%
Science	5	14.71%
Business & Economics	5	14.71%
Arts	3	8.82%
Melbourne School of Land and Environment	2	5.88%
Medicine, Dentistry & Health Sciences	2	5.88%
Graduate School of Business and Economics	2	5.88%
VCA	1	2.94%
Melbourne School of Information (IT)	1	2.94%
Melbourne Law School	1	2.94%
Melbourne Graduate School of Education	1	2.94%
Melbourne Conservatorium of Music (MCM)	1	2.94%

Special Consideration – by Graduate/Undergraduate

Undergraduate	21	61.76%
Graduate	13	38.24%

Special Consideration – by International/Domestic

Domestic	20	58.82%
International	14	41.18%

Assessment Disputes - By Faculty/School

Medicine, Dentistry & Health Sciences	3	17.65%
Melbourne Graduate School of Education	3	17.65%
Melbourne School of Land and Environment	3	17.65%
Architecture Building & Planning	2	11.76%
Arts	2	11.76%
Business & Economics	1	5.88%
Melbourne Conservatorium of Music (MCM)	1	5.88%
Melbourne School of Engineering	1	5.88%
VCA	1	5.88%

Assessment Disputes – by Graduate/Undergraduate

Graduate	10	58.82%
Undergraduate	7	41.18%

Assessment Disputes – by International/Domestic

Domestic	15	88.24%
International	2	11.76%

The next Advocacy Service report will cover the quarter October to December 2012 and will be available in early January 2013.