



Melbourne Law
School

The Melbourne JD

Teachers' Brief

January 2018

Contents

1. Contact Details - Student and Academic Services	4
2. Overview of the Melbourne JD	5
3. Course Objectives	5
4. Substance and Content of Subjects	5
5. Course Structure	6
6. Compulsory Subjects	6
7. Elective Subjects	7
8. Student Workload/Timetable	7
9. Information for New Teachers	8
9.1 Induction	8
9.2 Mentoring Program for Sessional Staff	8
9.3 Advice and Support for Sessional Staff	8
9.4 Resources for Sessional Teachers	9
9.5 Payments	9
9.6 Absences	9
9.7 Creating and Updating Your Staff Profile	10
10. Guidelines on the Role of Subject Coordinators	10
10.1 Academic role – Collaborative	10
10.2 Administrative Role and Responsibilities	10
<i>Contact Person</i>	11
<i>Settling a Common Teaching Timetable for the Subject</i>	11
<i>Handbook, Reading Guide and Subject Materials</i>	11
<i>IT Support and Website</i>	12
<i>Teaching</i>	12
<i>Assessment</i>	12
<i>Marking and Results</i>	13
<i>Skills Development</i>	14
<i>Library</i>	14
<i>Subject Renewal</i>	14
10.3 Pastoral Role	15
10.4 Coordinating Subjects Taught in Independent Streams (i.e. Legal Research or Legal Theory)	15
11. Guidelines for Teachers in Independently Streamed (IS) Subjects (ie, Legal Theory & Legal Research)	16
12. Guidelines for Teaching Intensive Subjects	18
13. Syndicates (PPL, Constitutional Law, Criminal Law & Procedure)	19
14. What Teachers and Students May Expect	19
15. Preparation of Subject Materials and Reading Guide	19
15.1 Guidelines for the Preparation of Subject Materials	19
<i>Additional Note for Legal Research (LAWS50039)</i>	21
15.2 Subject Materials Assistance	21
<i>Additional Note for Legal Research (LAWS50039)</i>	21
15.3 Changes to Compulsory Subject Content and Assessment	21
15.4 Learning Management System (LMS)	21
<i>LMS Note for Subjects with Multiple Streams (ie. All JD core subjects)</i>	22
<i>Additional LMS Notes for Independently Stream Subjects (ie. Legal Theory, Legal Research)</i>	22

16. Wellbeing in the JD	22
16.1 The Wellbeing Surveys and Reports.....	22
16.2 Wellbeing Strategies in the JD.....	22
16.3 Wellbeing Strategies in the Classroom.....	23
17. Professional Skills Support: Academic, Wellbeing and Careers Skills Support	24
17.1 Legal Academic Skills.....	24
17.2 Wellbeing Skills	24
17.3 Career Development Skills	25
18. Assessment Guidelines	25
18.1 Approved Assessment for Subject.....	25
18.2 Take Home Assessment Policy	26
18.3 Preparing Exam Papers and Other Forms of Assessment	27
18.4 Marking Assessment	27
<i>Who Should Mark Assessment?</i>	27
<i>Assessment Criteria</i>	27
<i>Overall Comment/Mark</i>	28
<i>Marks and Grades</i>	28
<i>Interim Results</i>	29
<i>Assessment Standards</i>	29
<i>Second Marking</i>	29
18.5 Concerns about Use of Past Student Notes and the Student Tutorial Service.....	30
18.6 Assessment Feedback	30
<i>Interim Assessment</i>	31
<i>Feedback and Deferred or Supplementary Assessment</i>	31
<i>Appealing a Result</i>	31
18.7 Wellbeing and Assessment.....	32
18.8 Assessment Distribution, Submission and Return.....	32
<i>Distribution</i>	32
<i>Submission</i>	33
<i>Returning Interim Assessment to Students</i>	33
18.9 Fail Grades and Academic Progress.....	33
<i>Return of a Fail Grade</i>	33
<i>Final Subject to Complete</i>	33
<i>Academic Progress</i>	34
18.10 Extensions and Special Consideration	34
<i>Extensions and Short Term Special Consideration</i>	34
<i>Ongoing/Long Term Special Consideration</i>	35
<i>General Support and Consultation</i>	36
18.11 Word Limits and Late Submission	36
<i>Penalties for Late Submission</i>	36
<i>Word Limits</i>	37
18.12 Collaborative Work Statements	38
19. Subject Evaluations	39
20. University and Faculty Policy on Plagiarism in Assessment	40
20.1 Penalties for Academic Misconduct	40
20.2 Procedure for Suspected Academic Misconduct.....	40
21. Equal Opportunity	41
22. Teaching Facilities	41

1. Contact Details - Student and Academic Services

The Law School provides academic and student support for coursework programs (Masters, Juris Doctor and undergraduate breadth subjects) from one Academic Support Office (ASO). The Academic Support Office comprises two teams; the Teaching and Learning team (located on level 6) and the Graduate Services & Careers team (located on the mezzanine).

The Teaching and Learning team are responsible for Recruitment and Admissions and the provision of support to students and academics. The T&L team provide a range of teaching support services such as the provision of subject materials, timetabling, assessment and results, and subject administration, as well as administering scholarships and being the main point of contact for Masters students. JD and Breadth students will generally need to contact Stop 1 (the Student Services hub) at 757 Swanston St for queries relating to enrolment and for course advice.

The Graduate Services and Careers team is responsible for aspects of student enrichment including international experiences, careers services, internships, work integrated learning, the mentor program, and student wellbeing, including liaison with central university Academic Services around special consideration. This team are located on the mezzanine in the Student Enrichment Centre.

The ASO is a referral point for the Law School's Legal Academic Skills Centre (LASC) as well as to other student services offered by the University, including counselling, health, sports and recreational facilities. The services provided by the Law School are consistent with those offered across the University, while being adapted to the discipline of law.

[Contact information](#) for the ASO can be found on the Law School's intranet.

The [Current Students](#) pages on the JD website are a useful point of reference for details relating to:

- Subject Selection (electives)
- Student policies
- Careers Services
- Study Abroad, Exchange, and International subjects
- Degree Partnerships
- Mentor program
- Public Interest Law Initiative and Legal Internships
- Academic Support Services
- Wellbeing Services
- Student Associations

2. Overview of the Melbourne JD

The Melbourne JD is a fully graduate law degree. It is conducted at AQF Level 9 Masters (extended) level. Applicants must have either an undergraduate degree in a discipline other than law or a degree in law from a different legal system. The JD leads to admission to practice in all Australian jurisdictions and can be used as a basis for seeking admission in many overseas jurisdictions as well.

Melbourne Law School aims to produce intellectually engaged graduates who are highly equipped to use their legal training in a variety of legal and other professional settings and to make an outstanding contribution to the community. Selection into the JD is based on academic results in all tertiary study undertaken and the score received in a legal aptitude test (LSAT). There is currently a guaranteed pathway to the degree for some high achieving school leavers. The Melbourne JD has been designed to respond to the exciting challenge of teaching law to graduate students. The typical maximum class size is approximately 60 and in some subjects it is smaller, to enhance the opportunities for interaction between students and teachers and amongst students themselves.

The teaching year begins in February. The normal length of the course is three years, taught over six semesters. Acceleration is possible, by taking subjects in the summer and winter breaks, subject to the approval of the School. Acceleration affords completion of the degree in 2.5 years. Students may also extend the duration of the JD to between 3.5 – 4 years. Sample [course structures](#) are available on the website.

The new Melbourne JD program, introduced in 2018, comprises 24 subjects; 16 are compulsory and 8 are electives. In the first year of the degree students will be placed in two cohort groups: one for each of the semesters. This enhances the collegial experience of students during their time in the School and establishes bonds that should continue long after graduation. The 8 elective subjects completed by students are from a wide range of subjects offered by the School.

3. Course Objectives

The objectives of the JD remain to ensure, as far as possible, that every graduate with a Melbourne JD has certain attributes and skills. At the completion of the Melbourne JD, all students are able to demonstrate competence in a range of core skills essential to many career paths in law. These learning outcomes and graduate attributes can be found on the [JD course handbook entry](#).

While the core curriculum aims to develop all generic skills in class and through assessment tasks, JD students should be encouraged to utilize the additional support available through the Law Academic Skills Centre. Dr Chantal Morton provides [support for developing legal writing and professional skills](#), [staff at the Law Library](#) provides supports to develop research skills and the [Graduate Services Coordinator \(Wellbeing\)](#) can provide advice and support to assist students to take active management of their wellbeing throughout the degree.

4. Substance and Content of Subjects

Subjects in the JD are designed on the assumption that graduates have already made the transition to tertiary study. Both class delivery and individual and group exercises should be developed carefully to ensure the assimilation of the requisite legal knowledge. Most classes are delivered in seminar style and while teaching styles may vary, all classes should be discussion-based, as far as the subject matter allows.

As many subjects in the JD include topics prescribed for admission to legal practice in Australia, they necessarily are grounded in Australian law. In addition, the concept of the JD stresses the need to anticipate the needs of law and lawyers in the first part of the twenty-first century. The implications of this will vary between subjects. As a general rule, subjects should introduce international or transnational perspectives, on the assumption that legal problems increasingly occur across jurisdictional lines, nationally and internationally. Both for this reason and to provide new insight into Australian law and institutions, many subjects will include comparisons with other legal systems. To assist understanding of subject areas and their operation in practice, the syllabus for some JD subjects also places legal principles and institutions in an interdisciplinary context.

Another defining characteristic of the JD is its integrated curriculum. Compulsory subjects are taught in such a way that the links between subjects are made clear, and form a critical foundation for each new stage in the students' learning. The aim is that students should develop an integrated and holistic understanding of the law as a whole, rather than learn discrete areas of the law in isolated intellectual 'silos'.

5. Course Structure

Curriculum developments commenced in the JD in 2018 which altered the required core subjects and student course planning. Students commencing from 2018 should follow this [course plan](#) (2018 onwards). For existing students, who commenced in 2017 or earlier, they are required to follow the pre-2018 [course plan](#).

The JD is a full-time law degree taught on a semester basis. Each semester is 12 weeks in duration and is followed by a short examination period of, at the most, two weeks. There is one week of SWOT Vac between the end of semester and the examination period. Some subjects are offered on an intensive basis over the summer or winter semester breaks.

Students who wish to accelerate their course can do so by undertaking intensive subjects offered in the summer or winter semester breaks, or by undertaking additional subjects during the standard semesters. Please be aware that acceleration requires the approval of the Associate Dean (JD) and may be declined in instances in which a student's marks do not support the proposed course plan. Information about accelerating, acceleration approval forms and course planning advice can be obtained through the Academic Support Office.

Students (with the exception of international students with ESOS requirements on their visa) have the option of extending their degree to to 3.5 or 4 years by following the [extended course plans](#), available on the internet.

6. Compulsory Subjects

The compulsory subjects are organised to ensure a balanced range in each semester. In addition, subjects in private, public and procedural law build progressively over the semesters, contributing to the effectiveness of the learning experience.

Any student seeking a [subject prerequisite waiver](#) to enter a compulsory subject must first seek approval from Judith Marychurch, Assistant Dean (Teaching and Learning), and then complete an

enrolment variation online form. For subject descriptions and information about prerequisites please see the Handbook entries for individual subjects.

7. Elective Subjects

A standard range of elective subjects will be offered regularly, for example, subjects with an international orientation, taxation law and intellectual property law. Some others will vary from year to year, in response to demand and emerging trends. JD students can take one Melbourne Law Masters (MLM) subject from a [pre-approved list](#) as an elective (Melbourne University Law Review (MULR) and Melbourne Journal of International Law (MJIL) students are an exception: they can take two in the year they are enrolled in MULR or MJIL).

8. Student Workload/Timetable

Each subject involves at least 3 hours of teaching per week, although most compulsory classes meet twice a week for two hours per class (a total of 4 hours per week). JD intensive subjects are generally 36 hours in duration and generally run for 1 or 2 weeks during the summer and winter semester breaks. Teachers will be asked to provide details regarding availability for timetabling to the Timetabling and Assessment Coordinator.

First year JD students are enrolled into their core subjects and allocated to cohorts by the Academic Support Office, which then determine their subject timetable for the first year. Later year students self-enrol online into subjects and create their own class timetable to allow for their greater autonomy and flexibility in timetabling.

Where subjects are streamed, the identity of the teacher is not apparent to students during the enrolment period. In order to circumvent 'teacher shopping' by students, teachers are asked to avoid, during the enrolment period, revealing the identity of teachers for specific streams.

Information about [timetabling](#) is available on the website.

Legal Method and Reasoning (LMR) is a compulsory introductory subject scheduled as a 2 week intensive, with tuition for approximately 4 hours each week-day. LMR begins end/January or early February and provides a foundation for all the subjects that follow. In addition to formal class room hours, students are expected to undertake syndicate work and to prepare in advance for classes.

Students are expected to attend classes. Generally one stream for each core subject (excluding Legal Research) is [recorded](#) throughout the semester for approved students who are registered for ongoing special consideration support.

From time to time, teachers need a class to be rescheduled, due to circumstances that arise during the course of the semester. Teachers are asked to advise the Timetabling and Assessment Coordinator of any changes that are required to the timetable. The Academic Support Office will ensure that the change does not clash with any other arrangements and that a teaching space is available. All students in the intake are then notified via email by the Academic Support Office.

An assessment schedule is provided to students via the JD LMS Community at the start of semester. This ensures that assessment and the student workload associated with it is coordinated across all subjects. It enables students to plan and manage their time and obviates the need for

extensions, except on substantial special consideration grounds. The assessment schedule is developed by the Timetabling and Assessment Coordinator in consultation with the teachers for each subject. The assessment dates, marking code, and collaborative work statement code are fixed at the time the schedule is published. In the rare event that changes are necessary, teachers are asked to notify the Timetabling and Assessment Coordinator who (subject to the approval of the Course Directors) will determine whether change is possible, ensure that there is no clash with other assessment and notify students of the change. The assessment schedule is updated accordingly.

9. Information for New Teachers

9.1 Induction

All sessional staff members will be made aware of their occupational health and safety obligations, as well as their workplace discrimination and harassment rights and responsibilities.

Sessional staff members in JD and undergraduate breadth subjects will also be required to attend an induction program at the Law School coordinated by the MLS Director of Teaching, and designed specifically for those teaching as sessional staff in the JD and law undergraduate breadth programs. To ensure all sessional teachers have the opportunity to participate in the sessional induction program, it will be run twice a year (before or at the commencement of each semester).

The [MLS Director of Teaching](#) will also offer a follow up workshop of 1 hour minimum during semester to give sessional staff the opportunity to reflect on and share their experiences and discuss specific teaching and learning issues.

Any teacher should feel free to seek guidance or support in their teaching from MLS colleagues, including the [Deputy Dean](#), [Associate Dean \(JD\)](#), the [Assistant Dean \(Teaching & Learning\)](#), the [Director of Teaching](#) and JD Course Directors, at any time.

9.2 Mentoring Program for Sessional Staff

Sessional staff members teaching in the JD who are new to MLS will be appointed with a teaching mentor upon their commencement at the law school. Mentors will be MLS faculty members.

Sessional staff members who have taught at MLS before will not automatically be appointed a mentor. However, those who wish to do so can 'opt-in' to the program. If you would like to opt in to the mentoring program you should contact the Deputy Dean, and advise him accordingly.

9.3 Advice and Support for Sessional Staff

Members of the MLS Employee Services team will be available to provide sessional staff with support in relation to general employment matters.

The [Deputy Dean](#) has ultimate responsibility for sessional staff members teaching at MLS, and will be available to sessional staff members who have queries or concerns about their role, responsibilities, and rights as sessional teachers.

Academic staff mentors and the [MLS Director of Teaching](#) will be available to provide sessional staff with advice and support concerning teaching pedagogy.

Subject coordinators will be available to provide sessional teachers with subject-specific advice and support.

9.4 Resources for Sessional Teachers

Information concerning the Law School's teaching and learning programs, including teaching resources, can be found on the [MLS Intranet](#).

The Melbourne Centre for the Study of Higher Education offers seminars and courses in higher education teaching, as well as providing [learning and teaching resources](#).

A section of its website is dedicated to [Online Induction for Sessional Teachers](#).

These resources include the University's [Sessional Teaching Handbook](#).

9.5 Payments

In most cases, sessional payments are made to you via the casual payroll and are paid fortnightly on Thursdays. Your pay will be deposited into your nominated bank account in equal instalments over the period of your appointment. Any queries relating to sessional payments should be directed to the Academic Support Office on 8344 6190 in the first instance. Payments for any completed or any additional casual appointments that you may have should be submitted via an electronic timecard in Themis.

Sessional staff employed via an ICA or hired through a business will receive two lump-sum payments rather than be paid on a fortnightly schedule. Eligible staff will be notified and provided more details via email as part of their initial Welcome Email from the Deputy Dean.

9.6 Absences

If a staff member is unable to attend a class that they are scheduled to teach, they should immediately advise the subject co-ordinator and the Academic Support Office on 8344 6190 so that alternative arrangements can be made.

9.7 Creating and Updating Your Staff Profile

All sessional staff can request to have a staff profile page created for them. You can [submit a staff profile request \(either for creation or to update an existing profile\)](#) via the MLS Intranet. **You are strongly encouraged to publish a profile and photograph on this page, as students enrolled in your class are likely to view your staff page.**

10. Guidelines on the Role of Subject Coordinators

In 2013, a working group of the JD Committee formulated the following guidelines on the role of the subject coordinator in the JD. These guidelines take into account a document prepared by Professor Simon Evans for the LLB Program a number of years ago.

Most of the compulsory subjects in the JD – and a few of the elective subjects – are taught in parallel streams by teams of teachers. This form of teaching can present particular challenges. In this context, the role of the coordinator is especially important.

10.1 Academic role – Collaborative

It is important to note at the outset that the subject coordinator and teaching team members are colleagues. Unlike the position of Deputy Dean, for example, the subject coordinator does not have a managerial role with respect to her or his colleagues. In particular, this means that the coordinator does not have the final say on matters of academic judgment. Rather, the coordinator's role is limited to facilitating the collaborative delivery of the subject and its design (in many, but not all, instances). Coordinators (and team members) should try to cultivate and maintain a relationship of mutual respect and joint engagement in a cooperative enterprise.

With respect to most matters, such as *how* material is taught in the classroom, pluralism is healthy and to be encouraged. There is no one-way to teach a subject. No particular approach to teaching should be prescribed by the subject coordinator (or the Law School).

While collaboration among all team members, including the coordinator, leads to the most effective delivery of the subject, members of a teaching team occasionally disagree about matters that require agreement. At first instance, these matters should be resolved in accordance with Law School policy. Coordinators and other members of teaching teams should attempt to act collegially, respecting the reasoned views of their colleagues, in trying to find agreement where agreement is necessary. In some rare instances, reaching agreement on these matters may prove difficult. The Associate Dean (JD) and the Deputy Dean are available to assist in such cases.

10.2 Administrative Role and Responsibilities

The most notable responsibilities undertaken by the coordinator are administrative in nature. It is in this sphere of activity that she or he has ultimate (administrative) say.

The following highlights a number of the coordinator's most important administrative responsibilities, relevant to subject delivery. It also serves as a guide to elements of each subject in which all members of the teaching team are individually involved.

Many of these points are relevant to multi-stream as well as elective subjects.

Contact Person

The subject coordinator is the first port of call for the Academic Support Office, the Deputy Dean, the Assistant Dean (T&L) and the Associate Dean (JD).

- This means that the subject coordinator generally will be the only member of the subject teaching team to receive key communications from the Academic Support Office (i.e. exam timetables).
- To avoid confusion, the subject coordinator should keep all members of the teaching team fully informed of administrative processes and requirements, including those that may be the sole direct responsibility of the coordinator.

Settling a Common Teaching Timetable for the Subject

- The coordinator should facilitate agreement upon the teaching timetable among team members, in conjunction with the Academic Support Office.
- In doing so, the needs of all team members should be taken into account, as each team member has diverse additional responsibilities.

Handbook, Reading Guide and Subject Materials

- Consult the whole team when updating the Handbook description of the subject.
- The Handbook description should address matters such as objectives, Priestley requirements, AQF regulatory requirements, and assessment regime
- Consult the whole team when creating/updating Subject Materials or coordinate the drafting and settling of the Reading Guide in consultation with other (non-sessional) members of teaching team where possible and to the extent appropriate.
- Ensure that the Reading Guide contains the relevant information set out in and corresponds (in so far as is appropriate) with the JD Subject Material Memo.
- Prepare subject materials:
 - Liaise with Academic Support Office (ASO) or the Library for copyright purposes.
 - Obtain clean copies of previous versions from the ASO if needed.
 - Provide suitable clean copies (preferably electronic) to ASO in accordance with the provided ASO subject material production timetable.
 - Ensure that materials/supplementary materials comply with copyright requirements: the ASO will provide detail on these requirements.
- In consultation with ASO, ensure that the Reading Guide and materials are available in time and in a suitable form for Student Equity and Disability Services to prepare them for students with a disability.
- Ensure that the ASO knows which Penalty Code applies to any assignment, if used as an assessment task.

- Ensure that the ASO knows which collaborative work statement applies to each assessment task, and the details of the statement where it is Code 5 (open statement: teachers to specify).
- Provide the final version of the Reading Guide to the ASO in accordance with their subject material production timetable.
- If the subject you are teaching has a required textbook, then we encourage Teaching staff to contact the publisher to request a teaching copy of that textbook. In the vast majority of cases, publishers will be able to provide the book for free.

IT Support and Website

Liaise with ASO to ensure that:

- the subject LMS page accurately records teaching and assessment arrangements;
- the Reading Guide and Subject Outline is available on the subject LMS page before the commencement of the semester;
- stream teachers have the resources they need to post their materials to the subject LMS page if they wish to do so.

Teachers must not grant LMS access to college tutors.

Teaching

A key role of a subject coordinator is to support the teaching team in delivering teaching in the whole subject. Aspects of this role include:

- Assess the extent to which members of the teaching team are in a position to attend meetings of the teaching team, and formulate a schedule of such meetings as appropriate. Consideration should be given to how best to support any new or sessional members of the teaching team, and to give new or sessional members of the teaching team opportunities to give and obtain feedback on their teaching experience. (see also 'Pastoral role' below).
- Identify internal subject timelines for assessment in particular, that suit all team members, bearing in mind their diverse responsibilities, for example, in other subjects
- Where desired, assist members of the teaching team to find faculty members, including those who are part of the team, to sit in on each other's classes to discuss teaching techniques and offer support
- Liaise with Law Student's Society (LSS) tutor to ensure that they have access to the Reading Guide. There is no obligation to go further and provide access to other materials or review the LSS tutorial materials.
- A student's first point of contact to discuss teaching and assessment matters should be their stream teacher or the person who marked their assessment task. However, on occasion, the coordinator should provide a point of contact for students where their concerns cannot appropriately be handled by the teacher (for example, because the matter concerns that person). If the concern is about the coordinator, the student should see another teacher in the subject at first instance.

Assessment

- Ensure that assessment is carried out in accordance with University and Law School policies and the subject description in the handbook.

- In conjunction with the teaching team, draft and settle assessment tasks.
- Assessment tasks should be designed to minimise opportunities for cheating or plagiarising in accordance with the [Assessments and Results policy](#).
- Ensure that assessment materials are provided to the ASO in accordance with the ASO requirements and timelines.
- All assessment must be submitted online and cannot be accepted by individual teachers
- Teachers cannot advise students in relation to late submissions and special consideration. All these matters are managed by the Academic Support Office.
- Ensure that examination papers are prepared in consultation with the teaching team, **reviewed and signed off** by a person external to the teaching team but with some general knowledge of the subject area.
- Draft and settle supplementary assessment with the assistance of the teaching team and consult with the teaching team to arrange an equitable allocation of marking responsibility for supplementary assessment.

Marking and Results

- Liaise with the ASO to determine assessment dates for the subject. This is subject to the need for the ASO to organise a coordinated assessment timetable covering all subjects in that year level. Coordinators must confirm that they are satisfied with the assessment schedule for their subject and provide a word limit code allocation for the subject to the Timetabling and Assessment Coordinator; and specify the collaborative work code that applies to the assessment task, including the details of any Code 5 (open) statement.
- Assessment will be provided to examiners as soon as it has been received by the ASO to be marked and returned within the required time. The results return date for final grades will be provided by the Timetabling and Assessment team. Examiners must not return any assessment directly to students.
- Provide the ASO with the return dates for marked interim assessment; to the degree this is possible. This helps ensure that assignments are not accepted and extensions are not granted beyond return dates.
- Liaise with the ASO to arrange the collation of marks from different markers and data entry requirements. This will also involve setting up an appropriate spreadsheet for the teaching team's subject. The nature of the interim assessment in the particular subject will affect the spreadsheet's structure. Alternatively, a Results Return Sheet will be provided by the Timetabling and Assessment team.
- Allocate marking equitably among the teaching team, proportionately to teaching load in the subject (bearing in mind any special arrangements particular team members may have with the Deputy Dean).
- Ensure that second marking is carried out as required.
- Provide support as and when required to colleagues and assistant markers with respect to how to assess in accordance with criteria and how to provide constructive, effective feedback.
- Establish a timetable for marking to ensure that sufficient time is available for moderation, second marking, data entry, review and the Board of Examiners' meeting
- Facilitate discussion and consultation between members of the teaching team through the marking process as to marks and the Law School's mark distribution policy, in so far as is reasonable in the light of time constraints.

- Ensure that the distribution of marks awarded by team members is relatively similar or, where dissimilarity exists, that assessment tasks have been marked consistently across different team members.
- Consult with the teaching team to ensure that students in all streams are treated equitably, recognising that not all streams may have the same mark distribution.
- Encourage the teaching team to approach issues of marking and mark moderation sensitively and as collegially as possible. Sound practice embraces discussion, explanation and sensitive responses to all team members' views. However, on occasion, this is the kind of issue about which firm views are held and disagreements arise. To ease the resolution of disputes about marks, the Law School's mark distribution policy should be followed.
 - Moderation may involve adjusting marks up or down.
 - Experience suggests that moderation should be both prospective and retrospective. It is useful first to agree a common marking guide, then to exchange a representative sample of marked papers early in the marking process, and finally to review a sample at the end of the process to ensure that the agreed standards have been applied throughout.
- Attend the Board of Examiners' meeting to discuss the grades awarded with the subject, and to explain deviations from the Law School mark distribution policy. Ultimately, the Board of Examiners has the final say with respect to mark distribution.
- If a team member has concerns regarding possible plagiarism or breaches of assessment statutes, they should be passed on to the subject coordinator. The coordinator should gather the information necessary to present the concerns to the Assistant Dean (Teaching and Learning), in conjunction with the team member.
- Arrange appropriate feedback on assessment (e.g. feedback sessions, web materials).
- Liaise with the ASO to identify a prize winner where required.

Skills Development

- Well in advance of the delivery of the subject, consult with [Dr Chantal Morton](#), from the Legal Academic Skills unit, with respect to the subject and its assessment tasks, workshopping ways of supporting the subject (to the degree necessary).

Library

- Liaise with the library regarding requirements for books and other materials to be acquired and placed in the High Use collection. For example, books that are needed for the completion of a research assignment may need to be placed in the High Use part of the library.

Subject Renewal

- Convene a meeting of the teaching team at the end of each semester to -
 - Review the teaching in the subject
 - Review the Handbook subject description and related materials. Consider whether there should be changes to:
 - Subject description
 - objectives
 - assessment

- materials
- skills
- Meet with coordinators of other subjects taught in the same year of the JD (in particular, the same semester) and teachers in related subject areas, to try to maintain integration of the core curriculum
- The coordinator should also keep the Deputy Dean informed of any significant issues arising in the teaching and management of the subject.

10.3 Pastoral Role

The preceding description of the subject coordinator's role suggests that the coordinator also has a pastoral role in supporting, as opposed to managing, teachers as they go about fulfilling their respective teaching responsibilities. The nature of this role will vary with the demands of the subject and the needs of the teachers. Sessional teachers new to teaching will have quite different needs to sessional staff with prior MLS teaching experience, for example. It is important that subject coordinators proactively identify opportunities to support teachers. In particular, staff who are new to teaching and staff new to MLS generally will benefit from pastoral support across a range of matters. This support includes:

- Welcoming new staff to the teaching team and to MLS more generally (i.e. putting them in touch with MLS staff with similar research interests).
- Advising new staff to attend relevant induction sessions arranged by the Director of Teaching. These sessions include coverage of the support services available to teachers (i.e. IT support) and how these services can be accessed. If a new staff member experiences difficulty with accessing these essential services, the MLS Employee Services contact and the Deputy Dean should be advised.
- Providing advice and/or guidance on teaching strategies and methods.
- Facilitating the collegial provision of pastoral support within the team of teachers delivering a subject and the sharing of materials as appropriate (e.g. PowerPoint slides).

10.4 Coordinating Subjects Taught in Independent Streams (i.e. Legal Research or Legal Theory)

Coordinating a subject that is taught in independent streams presents special challenges. There is no common reading guide in such a subject and, even though the form of assessment is common to all streams, the content of assessment varies from stream to stream. Teachers of independent streams therefore enjoy a degree of autonomy and this affects the role of the subject coordinator.

The Deputy Dean is accountable to all University and external auditors of the JD curriculum. With this in mind, a subject coordinator is the clearing house for information - provided by teachers of independent streams - with respect to the compliance of subject streams with relevant requirements.

The special challenges of coordinating an independent stream subject ('ISS') arise chiefly in the lead-up to the subject being run, and in the marking process.

In the lead-up to an ISS being run, the subject coordinator should aim to ensure that each of the teachers in the subject knows the content of the subject description and the identity and contact

details of other teachers also teaching in the subject. The subject coordinator should also be prepared to act as a conduit for teachers teaching in the subject to share reading guides and other materials as necessary.

In an ISS it is the responsibility of each teacher to ensure that her/his reading guide is consistent with the subject description, that appropriate readings have been prescribed and/or recommended, and that their reading guide reflects other university or faculty policies and practices that apply. If the Subject Coordinator has concerns regarding compliance with regulatory or other requirements in an ISS, the Subject Coordinator should raise this concern with the teachers concerned. If there is disagreement amongst the teaching team, the matter should be referred to the [Assistant Dean \(Teaching and Learning\)](#).

When the teachers in an ISS are marking, the subject coordinator should ensure that each of the lecturers in the subject is aware of any relevant university or faculty policies and practices bearing on the marking process. This may include disseminating information about expectations in relation to the spread of marks, both across individual streams of an ISS and across an ISS as a whole. The course coordinator should be available to second mark upon the request of other lecturers teaching in the subject, and to act as a sounding board for concerns or queries relating to the marking process. The course coordinator should also coordinate the process of moderating marks after individual lecturers have completed their marking and produced final marks for the students in their streams, including the process of deciding on the top mark in the subject.

Sometimes, a lecturer in an ISS will produce final marks that are, on the whole, higher or lower than the marks produced by other lecturers in that subject. In such circumstances, the subject coordinator should draw this to the attention of the lecturer in question and be prepared to discuss this matter with the lecturer as she/he considers whether adjustments to marks are necessary. If requested to do so, the course coordinator may undertake some second marking for the lecturer whose marks are in question. However, the course coordinator should not make or insist on adjustments to a lecturer's marks without that lecturer's agreement. The subject coordinator is not responsible for ensuring that the lecturer's marks are consistent with any university or faculty policy or practice that might be relevant to the marking process. This responsibility rests with the individual lecturer. The subject coordinator is responsible to the Board of Examiners to ensure that marks in the subject as a whole comply with any relevant faculty or university requirements. However, it is the responsibility of the Board of Examiners to make the ultimate decision, not the subject coordinator (see para 4.78 of the [Assessment Policy](#)). If a course coordinator in an ISS feels that she/he cannot sign off on the marks produced by one of the lecturers teaching in the subject, she/he should seek the advice of the Deputy Dean.

11. Guidelines for Teachers in Independently Streamed (IS) Subjects (ie, Legal Theory & Legal Research)

The general practice within the JD is that teachers in compulsory subjects teach to a shared reading guide, use common printed and electronic materials and employ the same assessment. Developing and delivering these materials as a team helps to ensure that the common unit aims and learning outcomes (as described in the Handbook) are always met, Priestley requirements are maintained

and that the subject reflects the combined expertise of the teaching team. This approach is also extremely helpful for new or casual colleagues teaching for the first time in the subject. Having a common curriculum also helps MLS monitor and meet various administrative and regulatory requirements and manage course delivery costs. Finally, and significantly, it ensures that every student experiences the same rigorous core subject structure, content and assessment, while still leaving plenty of room for individual emphasis and discussion of particular areas to reflect the individual stream teacher's research interests and expertise.

Given its clear benefits, any departure from the general practice must be carefully planned, only introduced after proper consultation and collaboration and monitored on an ongoing basis. There are some subjects (Legal Theory and Legal Research being the prime examples) where the teaching teams have developed independent reading guides and developed substantially different approaches to teaching their subject. Where developed carefully, Independent Streaming (IS) can produce positive outcomes, such as:

- Allowing teachers to teach to their strengths, interests and particular expertise.
- Reinforcing to students that there is no one right way of approaching a subject.
- Fostering positive collaboration and consultation within diverse teaching teams, by supporting development of individualised classes and assessment, within certain common constraints.

The Deputy Dean is accountable to all University and external auditors of the JD curriculum, and hence must be consulted about any significant proposed changes to subject content or modes of delivery, including any proposed move towards more independently streamed subject delivery. The following are guidelines to teachers who might be considering that change:

- Each teacher must teach to the same common subject description, objectives and learning outcomes, as set out in the University Handbook.
- 'Priestley' subjects must continue to cover required substantive content.
- The subject must continue to have the same assessment mode, although the assessment content may differ from stream to stream. All assessment questions must be linked to and test the (common) subject learning outcomes and be of equivalent degree of difficulty. It is strongly recommended that, to achieve this end, all streamed subjects should share at least one common compulsory question/question choice that tests the common subject learning outcomes.
- Active and regular consultation and collaboration amongst IS subject teachers is perhaps even more vital than in the case of unitary subjects, because of the need to ensure an equivalently challenging and formative learning experience for all students notwithstanding diverse subject content. This is particularly important in settling comparable assessment tasks and in moderating results across streams. Please note the guidelines on the Role of the Subject Coordinator in this respect.
- Multiplication of reading guides, printed or online reading materials, assessment questions etc, inevitably adds considerably to the administrative load (and subject delivery costs). E.g. each reading guide/subject material set etc. must be individually checked for Handbook, copyright and MLS/Uni policy compliance and the risk of non-compliance (including around submission dates of reading guides and printed materials) inevitably increases. The risk of delay in producing and providing materials is also increased. If you are deciding to move to IS, you should consult with your teaching team, develop your reading guide and circulate for

information and feedback from your teaching team as soon as possible and recognise that it is important to submit the reading guide/independent printed materials on time.

- It is inequitable to have very different required textbooks or case books for different streams that impose significant costs on some students while others have no similar requirement. JD students cannot choose their teachers and have little opportunity to make educated stream choices based on content and reading requirements in advance of the teaching period. In those circumstances, it is undesirable for streams to have significantly different fiscal consequences for students. Stream teachers must consult as to how reading materials will be set and equivalence between the different streams maintained.
- Ultimately, coordinators of subjects considering independent streaming hold primary responsibility for ensuring equivalence between subject streams, moderating assessment and ensuring ongoing compliance with all regulatory (e.g. Handbook, AQF) requirements and all administrative matters (e.g. timely submission of reading guides, printed materials, assessment).
- Where a new teacher joins an IS subject, the subject coordinator should take steps to bring these guidelines to the teacher's attention and ensure that the teacher has access to the various reading guides and other materials that have been developed within the subject, to assist the teacher's transition to independently streamed teaching.

12. Guidelines for Teaching Intensive Subjects

As for subjects that are held over the course of a semester, all intensives must be taught in accordance with the University Handbook description, including total subject hours, unit outcomes and assessment mechanisms.

In general, JD intensives should be taught no more than 5 hours per day. This means that most subjects would be taught over 7 or more days. These limitations are intended to support student learning and wellbeing. If any teacher wishes to depart from the normal position, they should consult the Deputy Dean.

Intensive teachers will be asked by the Academic Support Office to advise their availability for teaching any intensive subject well in advance of the relevant period. It is important that those agreed dates are not altered after timetabling is completed and students have been advised accordingly. If, for some reason, teachers need to alter teaching arrangements because of illness or other unavoidable circumstances, students must be advised as soon as possible and alternative arrangements made to make up for lost teaching time, just as would occur in a semester-long subject.

Reading guides for intensive subjects should be provided to the Academic Support Office nine weeks prior to the start of classes. This ensures that the production of the subject materials is completed in time for students to receive the materials prior to the commencement of teaching.

13. Syndicates (PPL, Constitutional Law, Criminal Law & Procedure)

Students are divided into small teams or “syndicates” in some subjects (PPL, Constitutional Law, Criminal Law & Procedure) for both activity and assessment purposes. Syndicates form the basic units for teamwork and developing skills in working with others in a legal setting. Students can use their syndicates to solve problems, prepare for classes, and undertake syndicate based assignments.

The JD is diverse in its teaching formats. Different teachers have different styles and responding to these is part of the JD learning experience. In general, however, all teachers will seek to make maximum use of the relatively small class size. The small group size ensures that classes can be interactive. It also enables more intensive and personalised teaching and so assists accelerated learning. Experiential learning opportunities are maximised with access to up-to-date multi-media.

14. What Teachers and Students May Expect

Each teacher in the JD will be advised by the Law School of their teaching commitments, including the arrangements for remuneration or teaching credit as appropriate. As part of that process, teachers who are not already on the staff of the School may be invited to accept appointment as a Fellow or Senior Fellow of the School.

JD teachers are expected to make themselves reasonably available for individual student consultations relating to their taught subjects. Further information is provided on the web: [what students can reasonably expect of lecturers](#) (approved by the JD Committee in 2010). In addition, in 2014 [Professional Behaviour Guidelines](#) were approved by the MLS after consultation with student representatives. The Guidelines elaborate on appropriate behaviours in the Law School (including in classes) and set out various procedures in the event that student behaviour is unsatisfactory.

Teachers in compulsory subjects are encouraged to meet regularly with their teaching team to discuss and obtain feedback on issues relating to their subject (for example, class plans, communication to students around assessment, suggested strategies to encourage greater engagement/class participation).

15. Preparation of Subject Materials and Reading Guide

15.1 Guidelines for the Preparation of Subject Materials

Guidelines for the preparation of reading guides, subject materials, including electronic subject materials via Readings Online, are sent out to academic staff by the ASO. Subject coordinators will be emailed the subject materials memorandum approximately 3-4 months prior to the commencement of the relevant semester. The memo includes a checklist of what is to be included in the reading guide and subject materials.

If subject coordinators require a copy of the previous subject materials, they are to contact the T&L Advisor (JD&Breadth) for an electronic copy or the master copy.

Each time the subject is taught, the reading guide and subject materials need to be updated to ensure that the subject continues to be relevant, forward looking and suitable for highly capable, graduate level students. Objectives for the subject and an outline of its contents will be published on the relevant University handbook page. The reading guide must correspond with the subject description in the handbook. Variations in the content are sometimes necessary, particularly where there have been developments in the law since the subject was last taught. Any changes to the objectives, content and assessment for the subject should be discussed with Associate Dean (JD) in the first instance.

Subject materials must be completed and returned to the T&L Advisor (JD&Breadth) at the ASO by the notified deadline. As the time required for printing materials is lengthy, and distribution to students usually occurs four weeks prior to the commencement of teaching, it is essential that you adhere to these timelines. If you have any concerns about meeting the deadline for submission, please contact the T&L Advisor (JD&Breadth), otherwise we appreciate your help in ensuring a timely delivery of materials to students.

The following guidelines should be adhered to in compiling subject materials:

- Subject materials should not exceed 600 single sided pages/300 double sided without approval. If a textbook is also set for a subject the subject materials should be regarded as supplementary to the text. This should be reflected in the length of the subject materials. In ensuring that students are able to adequately prepare for all classes, the length of 600 pages should be regarded as the maximum essential reading for the subject (including any reading prescribed from a set text). This would mean that across four subjects per semester students would be required to read approximately 200 pages per week to prepare for classes. This does not include additional reading that students may undertake for assessment tasks, including research tasks.
- Subject materials should only include essential, rather than recommended, reading.
- Legislation and extensive legislative extracts should not be included in the hardcopy subject materials. Instead, student should be directed to online resources, for example austlii or comlaw.

If it appears that the subject materials for a particular subject will exceed 600 pages, then the relevant teacher should discuss this with the Assistant Dean (T&L).

Teachers should also be aware that guidelines have been published by the University relating to [Student Exposure to Explicit or Confronting Material](#). The guidelines provide examples of the type of material to which they relate and the steps that staff should consider taking to minimize any adverse impact on students of exposure to such material. All JD teachers should familiarize themselves with the guidelines and to the extent necessary take relevant steps to adhere to them in their teaching, including in printed or other materials.

Additional Note for Legal Research (LAWS50039)

Please note that the subject outline, reading guide and all required readings for this subject are provided online (either as links or uploaded documents) via the LMS subject page using the Readings Online system. These materials are not provided to students in hardcopy.

15.2 Subject Materials Assistance

A Subject Material assistant can be used to provide some assistance with the preparation of materials. Subject materials assistance is intended to be supplemental only and we allow 15 hours for a new elective subject and 8 hours for a previously taught subject. Subject Coordinators may nominate their own research assistant or contact the T&L Advisor (JD&Breadth) who can arrange a research assistant on your behalf. Contract and payment arrangements for Research Assistants must be arranged by the T&L Advisor (JD&Breadth), and must be finalised before work commences. Subject Material Assistants are paid a rate set by the University and Subject Coordinators are asked not to negotiate pay rates with Subject Materials Assistants who are appointed.

Additional Note for Legal Research (LAWS50039)

Obtaining research assistance for Legal Research, in order to prepare the reading guide or obtain the required readings, is only permitted with the approval of the Deputy Dean.

15.3 Changes to Compulsory Subject Content and Assessment

Proposed changes in compulsory subjects must be submitted to the JD Committee for approval where those changes relate to:

- The mode of assessment in compulsory subjects (to ensure an integrated package of assessment modes across the years that cover key skills).
- Any reduction in the teaching of key skills that are not expressly part of the Priestley 11, particularly Statutory Interpretation and legal research and writing.
- Any reduction or removal of an element of an area of study that is those listed in the Priestley 11.
- Very substantial changes to the way in which the subject is taught (eg moving to blended learning).

15.4 Learning Management System (LMS)

Each subject has its own LMS subject page. Teachers will be contacted by the T&L Advisor/Officer after the LMS subject page has been prepared and released. LMS publication should occur 10 days prior to the commencement of teaching (unless otherwise negotiated). LMS subject pages are easy to develop and maintain, and teachers are welcome to request training from the ASO if they wish to make more use of LMS to aid the teaching and delivery of the subject.

LMS contains core resources to support students' independent study through ready access to core downloadable resources and downloadable lists. This may include: required reading lists; links to library resources; and downloadable materials such as power point presentations.

It is important that staff keep copyright in mind when uploading materials onto LMS. Any questions regarding copyright compliance should be directed to the T&L Advisor (JD & Breadth).

LMS Note for Subjects with Multiple Streams (ie. All JD core subjects)

Please note that the announcement feature will email ALL students enrolled in a subject, not just those within your class. Please utilize the class contact lists the ASO provides you in order to contact your class directly, and only utilize the announcement feature if ALL classes need to receive the notification (ie. Assessment related content).

Additional LMS Notes for Independently Stream Subjects (ie. Legal Theory, Legal Research)

Each independently streamed subject has only 1 LMS subject page. Clearly defined sections will be created for each independent stream to utilize for their stream.

Please note that there are some features of the LMS subject page that should only be used in very specific circumstances for independently streamed subjects:

- Formatting or styles which effect the whole LMS subject page (ie. Banners, backgrounds, colour styles).
 - These can be set by the subject coordinator only and will apply to all sections of the LMS subject page.
- Announcements.
 - This feature will email ALL enrolled students in the subject, not just those in your class. Please utilize the class contact lists provided by the ASO in order to contact your class.
 - Generally only subject coordinators should send announcements for these subjects when the notification needs to be received by ALL students irrespective of their class/teacher (ie. Assessment related content).

16. Wellbeing in the JD

16.1 The Wellbeing Surveys and Reports

MLS has conducted a series of surveys of LLB and JD students' course experience and general mental wellbeing over recent years, as part of a concerted effort to better understand and support student mental health and, as a result, enhance students' learning experiences. This work has been led by Associate Professor Wendy Larcombe, who is a member of the Student Equity and Wellbeing Committee (chaired by the Assistant Dean (Teaching & Learning)), the aim of which is to identify and implement pedagogically sound wellbeing strategies within MLS. Wendy has authored two important Wellbeing Reports informed by the surveys and scholarly literature, the recommendations of which have largely been adopted by MLS. Details of the relevant reports and the MLS response are found the under the teaching resources section of the MLS intranet.

16.2 Wellbeing Strategies in the JD

Broadly speaking, the key factors that have been identified in research literature and the MLS surveys (Krieger, Larcombe) as likely to support student wellbeing (and hence learning) are:

- Supporting student autonomy, by enabling students to make meaningful personal choices that align with their values and interests;
- Fostering ‘relatedness’ – helping students to feel connected with others, and enjoy positive personal relationships; and
- Fostering students’ sense of competence by supporting students to approach, tackle and master new tasks in a supportive learning environment.

As part of a series of connected strategies to help support student wellbeing, MLS has introduced a number of measures to address these factors. The Wellbeing Group welcomes feedback and suggestions from teachers regarding wellbeing matters and issues. Any comments or queries should be directed in the first instance to the Assistant Dean (T&L).

16.3 Wellbeing Strategies in the Classroom

Some simple classroom strategies can assist teachers to support students’ sense of autonomy, relatedness and competence. These might include:

- When seeking active participation in class discussion, getting students to discuss the issue first in small groups and ‘report back’ with their views, questions or comments. This type of strategy helps to reduce anxiety associated with the very competitive nature of the JD and the fear of giving ‘wrong’ or ‘stupid’ answers.
- When engaging in class discussion or analysis of a confronting or controversial case, taking a few minutes out to ask students to discuss with their neighbour how they feel about the decision. This type of strategy acknowledges the importance of personal values and feelings, even though these may not influence the methods of legal reasoning or legal principles being taught through the case.
- Giving examples from the teacher’s own experience of cases where legal principles and cases ‘jarred’ with the teacher’s personal values. This ‘modelling’ again acknowledges the legitimacy of responding emotionally to the law, whilst accepting that students also need to learn how to ‘think like a lawyer’.
- Encouraging a respectful classroom environment where mistakes expressed in classroom discussion become an opportunity for shared discovery, not a catalyst for humiliation.
- Encouraging students to reflect on issues from a range of perspectives and to respectfully engage with other students who do so. This can be a useful strategy for engaging Indigenous students and the perspectives of other diverse groups in society.
- Reassuring students about assessment by being explicit early on about what it entails, aims to achieve etc. Please see detailed discussion below.
- Making sure students are aware of the extensive support available for academic skills and wellbeing skills support and development, discussed immediately below. This can be done by having skills specialists visit the class, be involved in classroom activities (where relevant), encouraging students to use the resources as part of group or interim assessment feedback and so on. Don’t forget to indicate to students that you are available to see them outside class.

Teachers are encouraged to share successful wellbeing strategies for the classroom with the Wellbeing Group, who can assist in circulating and disseminating examples of best practice in this area. Please contact the Assistant Dean (T&L).

17. Professional Skills Support: Academic, Wellbeing and Careers Skills Support

JD students are provided with specific support services to develop their academic skills, wellbeing skills and career skills (the professional skills 'toolkit'). You are encouraged to refer students to these resources, and to embed skills training supported by these resources in your classes where relevant.

17.1 Legal Academic Skills

The Legal Academic Skills Centre is located on Level 3 (in the Law Library; to the right of the Loans Desk). It comprises:

- Dr Chantal Morton, Lecturer in Legal Writing and Academic Skills. Chantal conducts workshops and individual consultations designed to help students hone their writing and academic skills. She also conducts skills building exercises in class, or in collaboration with teaching teams, to support skills development directly within the curriculum. Chantal coordinates the 'Facilitated Study Groups' program for first year students, designed to help commencing students develop effective learning habits.
- Trung Quach, Law Librarian (Acting). Trung works closely with the law librarians to design and deliver workshops, presentations and training to develop law students' legal research skills. Trung also provides individual consultations to students who are struggling with legal research and need customised support. Please contact him if you would like a presentation to your students on legal research and using library resources for their assignments.
- Bree Williams for legal writing and academic skills (JD students)

The LASC workshops address many academic skills, including:

- Legal research and writing,
- Returning to study: strategies for success,
- Note-taking and effective learning practices,
- Professionalism,
- Teamwork skills,
- Boot camp for practice skills before graduation.

There are many [online resources](#) that are available to students and teachers to assist with developing students' academic skills.

The [Law Library](#), on levels 3-5, is an important source of research skills support for the JD. The Library runs regular training sessions for students (and teachers) on topics such as new electronic resources, reference management software such as Endnote and Zotero, effective research strategies and research refresher courses.

17.2 Wellbeing Skills

It has become increasingly apparent from studies conducted by MLS that maintaining students' mental- wellbeing is imperative to successful and rewarding studies. Both the University and the Law School have a number of services designed to support and assist student wellbeing, as well as policies and procedures to help manage conditions and circumstances affecting wellbeing.

The Graduate Services Coordinator (Wellbeing) is available to help students on matters relating to extensions and special consideration and will work with University Services who coordinate this process. They can also advise both students and staff on relevant [Law School/University policies and refer to other University services](#) if appropriate.

Appointments with the Graduate Services Coordinator (Wellbeing) can be made [online](#). Students are encouraged to review information about [special consideration](#) available on the web before attending an appointment.

Teachers should not be advising students about special consideration or extensions, which are handled through the ASO and the Associate Dean (T&L).

[MLS procedures and guidelines for extensions and special consideration \(short and long term\)](#).

17.3 Career Development Skills

Graduate Services and Careers provides students with careers information, training and services to help develop students' career skills, so that they can make career choices that will align with their personal values, strengths and interests.

The MLS Careers Service runs a broad range of careers-related activities, including:

- Mentor Program,
- 'Global Connections' mentor program for international students,
- Internship Program,
- Individual career counselling,
- Careers events,
- Recruitment visits,
- Career Fairs, and
- Employment website, careers blog and job alerts.

The Careers Service is located on the Mezzanine in the Student Enrichment Centre. For further information contact **Justine Block**, Manager Graduate Services and Careers, on Justine.block@unimelb.edu.au.

18. Assessment Guidelines

The [JD Assessment Policy](#) explains in detail the marking and assessment responsibilities of teachers and coordinators in the JD.

18.1 Approved Assessment for Subject

Assessment for each subject is approved by the Faculty every year. The Course Directors welcome any suggestions in relation to assessment that may benefit the learning experience. Assessment modes should help test whether students have achieved your subject's learning outcomes (as published in the Handbook); for example, by developing skills in different forms of legal writing that are then tested through appropriate writing assessment tasks, oral communication skills through mooted exercises, or team work skills through syndicate tasks.

Any proposed changes to assessment must be made in consultation with the Associate Dean (JD), must be considered by the JD Committee and approved by the Deputy Dean. Changes to compulsory subject assessment can only be made prior to the end of April for implementation the following year due to Academic Programs Committee timelines.

18.2 Take Home Assessment Policy

- ***Important: Where any post-release correction or clarification of the take-home assessment appears necessary or desirable to the subject coordinator, the subject coordinator should consult with the Deputy Dean, in respect to the proposed correction or clarification.***
- Given the high use of take home exams in the JD Program and the very tight assessment schedules, it is necessary to indicate the expected time it will take to complete a take-home examination.
- All take-home assessment should be released to students during the Monday-Friday working period between 9.30am and 4.00pm.
- All take-home assessment should have a set submission time during the Monday-Friday working period between 9.30am and 4.00pm.
- All take-home assessment must contain, in the covering instructions, the relevant Collaborative Work Statement to the take-home assessment, as well as general advice warning against plagiarism, collusion and other forms of academic misconduct.
- Students are responsible for making provision for completion of their take-home assessment. Students should be aware that University facilities such as computer laboratories may not be available for use on the day(s) of their take-home assessment. If any student foresees difficulties in accessing appropriate computer facilities for completion of take-home assessment, that student should contact the Assistant Dean (T&L) within two weeks of commencement in the relevant subject.
- Students who wish to question any aspect of a take-home assessment should do so by email to the ASO (law-assessment@unimelb.edu.au), copied to the subject coordinator, within two hours of its first release, or as stated on the coversheet.
- Where any correction or clarification of the take-home assessment appears necessary or desirable to the subject coordinator, the subject coordinator should consult with the Deputy Dean with respect to the proposed correction or clarification.
- If, following that consultation, a correction or clarification is agreed, the correction or clarification should be circulated by LMS announcement and email to all students who are both enrolled in the subject and subject to the take-home assessment.
- It would usually be expected that any correction or clarification should be circulated within three hours of the first release of the take-home assessment and would contain a statement to the following effect:
 - ‘An error has been discovered in/Clarification is required in [name of assessment]. If you have not embarked upon answering that part of the exam, then please answer it with the following change/clarification in mind: [insert change/clarification]. If you have already answered this part of the assessment, then there is no need to revisit it; make a note to that effect in your script and your lecturer will take that into account when marking your paper.’
- All reading guides for subjects with take-home assessment and all cover sheets for take-home assessment should contain the following statement:
 - It is rare that corrections or clarifications are required in relation to take-home assessment. However, if you consider that correction or clarification of any point in

- the take-home assessment is required, you must notify the ASO by email, copied to the subject coordinator, within two hours of first release of the assessment.
- Any corrections or clarification will be issued by email to all students completing the assessment within X hours of its first release. Students are responsible for checking their emails within the three-hour period immediately following first release of the take-home assessment.

Interim assessment instructions and assessment content must also be submitted to the ASO staff so that the Law School has an accurate record of assessment for each subject.

18.3 Preparing Exam Papers and Other Forms of Assessment

Assessment should be set by the subject coordinator in consultation with other members of the teaching team. Examination papers **must be reviewed and signed off** by a person external to the teaching team but with some knowledge of the general subject area.

You should aim to submit a supplementary exam at the same time as you submit any end-of-semester examination in your subject. This enables maximum flexibility with alternative exam arrangements which, as a result of no longer being able to administer a mark adjustment, have proven the best way with which to deal with special consideration applications. Many JD students, however, sit their alternative exam arrangements out of the supplementary period (as they are enrolled in winter and summer subjects).

18.4 Marking Assessment

Who Should Mark Assessment?

Ordinarily students would expect their work to be marked by their teacher. This assumption arises out of the cohort experience and the genuine attempt made to keep class sizes close to each other in number. If you propose to proceed in a different way in a particular subject (such as marking by question rather than class or by bundles of papers organised by student number), students should be advised of this in week 1 **by all teachers** in the subject.

Assessment Criteria

Students need to understand the purpose of the particular assessment task and understand what they are required to do in order to achieve good marks in that task (or pass, if it is a hurdle assessment). A critical aspect of this is developing and communicating clear assessment marking criteria to students, well in advance of the assessment task. Marking criteria can be disseminated in various ways, for example through subject reading guides, by distribution of handouts discussing subject assessment or as part of in class discussion in preparation for the particular assessment task.

The general criteria for the award of grades in the JD apply. The following template may be useful:

	Needs improvement	Satisfactory	Competent	Good	Very Good	Excellent
Design & Execution of Project and Chosen Methodology including: Clarity and Significance of Question Addressed; Relevance of Chosen Methodology; Comprehensiveness of Research; Appropriate Use of Research; Critical Analysis where appropriate						
Quality of Argument including: Structure; Persuasiveness; Support for Conclusions; Originality						
Presentation including: Format including headings; Clarity of Expression; Grammar and Spelling; Compliance with AGLC (or otherwise internal citation consistency)						

Overall Comment/Mark

The JD grade descriptions published in the Information about [Student Achievement and Grading in the Melbourne JD](#) provide external stakeholders with some guidance on JD marking standards in terms of core and common learning outcomes demonstrated by JD students. They may also assist subject coordinators in developing specific subject marking criteria tailored to the particular subject's learning outcomes. However, they are not prescriptive or exhaustive accounts of JD learning outcomes and standards at subject level. At subject level, subject coordinators will need to articulate marking criteria by reference to their particular subject outcomes in a manner that is, in their considered academic judgment, appropriate for the particular subject and year level.

Marks and Grades

The following system of grades is used for assessment:

Marks Range	Grade
80 – 100%	H1
75 – 79%	H2A
70 – 74%	H2B
65 – 69%	H3
50 – 64%	Pass
0 – 49%	N (Fail)

In marking submitted work, both marks and grades should be included on the Results Return Sheet and on the student submissions.

Interim Results

Interim results may appear in the student portal before a final grade is available. They will not appear on a final transcript. Below is a table setting out the university-wide acronyms used on transcripts.

WXT	Withheld Extension
S	Awarded a Special or Supplementary Examination
WAF	Withheld – Assessment to be Finalised
MIS	Grade Not Submitted

Assessment Standards

The [JD Assessment Policy](#) sets out the marking and assessment responsibilities of teachers and coordinators for graded compulsory subjects (other than Legal Research) in the JD. As stated in that policy:

- Assessment should be designed with the aim that once marked in accordance with the particular unit assessment marking criteria, the spread of marks across the unit as a whole will conform with the historical spread of marks within the JD (set out below).
- The primary criteria for allocation of marks are the particular unit assessment marking criteria, developed by reference to the unit learning outcomes. Where marking in accordance with those criteria yields a spread of marks that diverges from the expected spread of marks, the Board of Examiners will review the unit marking outcomes in accordance with the procedure set out in the Policy.
- Assessment should be created at a level that is sufficiently challenging that it allows for a spread across the highest grades but not so aspirational that it is unrealistic to expect competent students at the relevant level to be able to pass and for excellent students to be able to achieve the highest grades.
- In recognition that law teachers often do not use a sufficiently wide range of marks in the H1 class, the Policy requires that at least 2% H1s are of 85% or more and usually the top student in a subject should be 90% at minimum. Set out below is the spread of marks that is generally expected in the JD compulsory subjects:
 - H1: 10-15% (at least 2% at 85% or above)
 - H2A: 15-20%
 - H2B: 25-30%
- The precise division between P and H3 has not been set out in the policy. Subject coordinators should consult informally with the teaching team to determine the expected division between these bands, prior to the formal meeting of the Examiners' Board.
- Subject coordinators and lecturers are encouraged to talk to the Associate Dean (JD) about grade distributions, mark moderation between streams or marking issues generally.

Second Marking

The following rule on second marking:

- (i) Interim assessment: A piece of written interim assessment will be second marked prior to being returned to a student if a fail grade has been recorded on a first marking.
- (ii) Otherwise, assessment will not be second marked, unless a student has failed overall on the first marking. If a student has failed overall on the first marking, all pieces of the assessment will be second marked before a final result is returned.

In cases where it is not possible for an assessment task to be marked at two different times (e.g. oral presentation), two examiners should be present at the execution of the assessment task and agree on a mark to be awarded or a recording of the assessment task used for the second marking. Alternatively, the ASO can loan a video camera to record presentations, in the event that a second marking is required.

18.5 Concerns about Use of Past Student Notes and the Student Tutorial Service in Assessment

In 2014 concerns were expressed by subject coordinators at the Board of Examiners regarding the use of past (and outdated) student notes by current students. Such notes are readily available to students through various means, including, for example, through the following two websites:

- <http://anestinotes.tumblr.com/>
- http://www.jaani.net/resources/law_notes/

Having viewed these sets of notes, subject coordinators of certain subjects were of the opinion that they contained incorrect or outdated information which was being relied upon by current students in exams to their detriment. There was evidence of consistent reliance upon such notes by large numbers of students resulting in common errors in particular subjects which could be traced to a set of notes. In addition, some subject coordinators have expressed concerns about material (and answers to questions) provided by some tutors in the LSS Student Tutorial Service.

As a result, teachers should remind students early in the semester of:

- The importance of developing their own notes based on their reading and classes.
- The implications for their grades if they rely upon other students' notes. Teachers may also reference the fact that subject coordinators in certain subjects have noticed that incorrect answers in exam papers can be traced to online notes used by students in this Law School.
- The importance of relying upon materials provided by teachers in classes and through reading assigned for class, rather than other sources, for example material provided by the Student Tutorial Service.
- The likelihood that assigned reading and the nature and form of assessment will change from year to year rendering notes from previous years inaccurate and incomplete.
- Reliance on external notes of this kind is accordingly likely to result in lower marks.

Teachers are not expected to supervise LSS tutors or review material taught in the LSS tutorials.

18.6 Assessment Feedback

The University [Assessment Policy](#) includes a section on Feedback (4.106).

Students have a right to look at all assessed work and to discuss the reasons for their grade, initially with the marker and if necessary with the subject coordinator.

Assessment feedback should enable students to understand why they received a particular grade and mark, so as to be able to learn from the experience, in this and later subjects. This may be achieved through:

- Use of marking feedback sheets that detail how the particular assessment piece met the published marking criteria.
- Detailed comments on assignments, practical exercises or take-home exam scripts.
- Offering to meet students individually to explain their marks.
- Assessment reports.

Interim Assessment

Results and feedback on interim assessment tasks must be sufficiently timely to enable students to digest and follow up on that feedback with their teacher in time to inform their subsequent preparation for final assessment. In practice, this means that most interim assessment should be returned with feedback to students two weeks prior to SWOT Vac. It is desirable that teachers advise students in advance when interim assessment will be returned and how students can arrange for follow-up consultations with their teacher on their interim assessment performance.

Feedback and Deferred or Supplementary Assessment

Ordinarily, feedback should only take place when a student has completed the assessment task. Students completing a similar assessment task for the second time as a result of special consideration should not receive feedback on their first attempt of the assessment until the second piece of assessment has been completed. The purpose of feedback is not to re-mark assessment, but to enable students to understand their grade and to learn from the assessment experience. Students may also have further discussions about their performance with the Course Directors.

Students sitting supplementary assessment due to the final subject rule or the JD 48 rule, marked to 50 (or pass only grade) benefit greatly from feedback once their exam has been completed and marked. While it is not appropriate for students in these cases to receive a mark out of 100 (or a mark out of the specific mark for the particular piece of work), staff are asked to enable feedback. One way of doing this is to include comments on these papers and indicate to the student the strengths and weaknesses of the examination paper.

Appealing a Result

<https://staff.unimelb.edu.au/mls/teaching/assessment-and-exams/appealing-a-result>

Section 5.86 of the [Assessment Policy](#) explains that students should initially make an appointment to discuss their subject result with their teacher or subject coordinator. If a student wishes to pursue a claim of an error in academic judgment by an assessor, the Deputy Dean, must determine whether there was an error in academic judgment by the assessor, according to the marking criteria for the assessment. The process of appeal is as follows:

1. Review result

Before appealing a result the student must make, and attend, an appointment to speak to their teacher or subject coordinator in order to receive feedback on the piece of assessment. Some subject coordinators arrange exam script viewing/assessment feedback sessions.

2. Appeal on academic judgment

If, after this meeting, a student wishes to pursue a claim of error in academic judgment in the assessment of their work, they should make a case in writing to the Deputy Dean. The Deputy Dean will determine whether the original mark was appropriately determined

according to established marking criteria. Students will receive a written response from the Deputy Dean with the outcome of their appeal. The original result will then be confirmed or adjusted.

3. Appeal based on procedural matters

Beyond the above, students may appeal based on procedural matters (i.e. the application of the Assessment Procedure) - but not academic judgment - to the Academic Registrar. Complaints or grievances will be considered in accordance with the [Student Complaints and Grievances Policy](#). Appeals may also be made to the Academic Board based on procedural irregularity, as per the [Appeals to the Academic Board Procedure](#).

18.7 Wellbeing and Assessment

In 2011 a Wellbeing Report was published that reported the findings of empirical and scholarly research into JD and LLB wellbeing at MLS. The report (on the teaching section of the MLS intranet) found that JD students suffered significant levels of stress and depression associated with a range of factors. A major source of stress was assessment, exacerbated by the culture of competitiveness in the JD. Significant support can be provided to students on both fronts by taking simple steps such as:

- Being very clear about (providing marking criteria for) the objectives of particular assessment well in advance of the actual date of the task.
- Taking care when communicating assessment outcomes to disassociate the standard of learning outcomes demonstrated by a particular piece of assessed work from the student's own intrinsic value (e.g. the structure of this essay was unclear in parts and this meant that one key learning outcome was demonstrated to a pass standard, versus 'you are a pass student').
- Providing students with plenty of opportunities to practice and obtain formative feedback on the particular skills being assessed prior to formal assessment.
- Providing choice within assessment tasks (e.g. by providing question choice).
- Providing timely feedback on all interim assessment, in particular by ensuring that it is returned in time to inform students' preparation for final assessment.
- Being sensitive to student wellbeing when giving student feedback, in particular by being aware of the range of [support services](#) for students you know or have reason to suspect are experiencing academic and/or psychological distress.
- Being reasonably available for individual consultations with students leading up to and after assessment tasks (see further information above).

If teachers have any questions or feedback about the impact of their teaching and assessment activities on wellbeing, they are encouraged to speak with any of: the Assistant Dean (T&L) or the Course Director (JD).

18.8 Assessment Distribution, Submission and Return

Distribution

All assessment tasks must be distributed electronically via the LMS and not directly to students. As the assessment schedule reflects date/times this information should not be included in documents providing assessment tasks. Any discrepancy between materials handed out by staff and the due dates in the assessment schedule causes major problems for students and the integrity of the

assessment schedule. The full assessment schedule is accessible to students by the JD LMS Community and to staff by the Law School intranet.

Submission

Students submit assessment online via the LMS to [Turnitin](#) (a similarity checking service). TurnItIn is an online, web-based anti-plagiarism system that compares electronically submitted papers to billions of pages of content located on the Internet and proprietary databases. It also compares each student's assignment with the papers submitted by other students in the same class, in classes from previous years and with those submitted at other institutions around the world that use TurnItIn. By detecting similarity TurnItIn is a very helpful tool for flagging possible plagiarism. The ASO will alert teachers if anything unusual is reported by the system, and will provide the teacher with an analysis of the extent of the problem and the procedures that need to be followed where misconduct is suspected.

Returning Interim Assessment to Students

Interim assessment, once marked, should either be returned to students in-class, or submitted to the ASO electronically so it can be emailed to students. Final assessment such as essays, take home exams and research papers, once marked, should be returned to the ASO electronically so they can be emailed to students. Marked hard copy supervised exams should be returned to the ASO for students to view at designated times. Hard copy exams will be stored for a maximum of six months following the relevant study period after which they are destroyed.

18.9 Fail Grades and Academic Progress

Return of a Fail Grade

The subject coordinator is to organise the second marking of failed papers. Any student who fails a subject with a final mark of 48% or above will be granted additional assessment. Students granted additional assessment will be notified of the type of assessment they will be required to undertake as determined by the Associate Dean (JD) in consultation with the Subject Coordinator. Where additional assessment has been awarded on this basis, the student's final mark in the subject cannot exceed 50%.

Final Subject to Complete

The Final Subject Assessment policy allows the Associate Dean (JD) to direct the subject coordinator in a particular subject to administer an additional component of assessment to a student in particular circumstances. Students granted additional assessment will be notified of the type of assessment they will be required to undertake as determined by the Course Directors in consultation with the Subject Coordinator.

Where additional assessment has been awarded on this basis, the student's final mark in the subject cannot exceed 50%.

Academic Progress

Academic progress issues are handled in accordance with the University [Academic Progress Review](#) policy. Teachers are encouraged to notify the Associate Dean (T&L) of any concerns that arise in relation to students during the course of a semester as early as possible. See below for more information about academic misconduct.

18.10 Extensions and Special Consideration

The assessment schedule is made available to students at the beginning of semester, and topics for written work are provided to students well in advance of submission dates. Extensions for assignments are not generally available, but may be granted where it can be demonstrated that there are exceptional circumstances resulting in considerable disadvantage to the student.

Students at Melbourne Law School have a number of mechanisms available to them should they experience difficulties during their studies. These supports are managed by the Graduate Services Coordinator (Wellbeing) via the special consideration process.

Special Consideration supports students who are experiencing extenuating circumstances outside of their control which can negatively impact upon their studies.

There are two types of special consideration:

- *Short Term Special Consideration* - Acute, one off circumstances without ongoing impact beyond 6 months
- *Long Term Special Consideration* - Longer term, chronic conditions/circumstances with an ongoing impact beyond 6 months.

Extensions and Short Term Special Consideration

If a student has an acute issue which affects one or more pieces of assessment they may apply for short term special consideration.

Applying

Students can apply for short term special consideration for the following:

- Extensions on essays 10 days and above. *For extensions of <10 days, student can [apply for an extension](#) directly through the Law School. Student should apply for extensions at least 3 days prior to the due date.*
- Written and take-home exams.
- Oral presentations/exams.

Students should apply for short term special consideration via the special consideration [portal](#).

Deadlines

Students must apply within 4 days (before or after) the assessment date. Late applications are generally not considered, unless there strong grounds (i.e. hospitalisation). Students must provide evidence from an appropriate registered professional to support their application.

Outcomes

Applications are firstly assessed by the Student Equity and Disability Team (SEDS) to determine eligibility. If a student is considered eligible the SEDS staff member will apply an outcome, which could include:

- Extension (up to 20 days),
- Special Exam,

Applications are referred to the Graduate Services Coordinator (Wellbeing) for the following:

- Extensions beyond 20 days,
- Requests for special consideration in relation to special/supplementary exams (where the student has already been awarded special consideration),
- Oral Presentations (where additional assessment needs to be negotiated with the teacher),

Mark adjustments are not allowed as a part of special consideration. Where special consideration results in a student sitting a special exam, the student will be marked out of 100%. Where a student chooses to take a special examination, having already sat the original examination, the student will be awarded the special examination mark.

Teachers should not deal with questions about late submission or special consideration, nor should teachers re-mark or second-mark papers after results have been published. Subject coordinators may post general feedback or examiners notes on LMS after all assessment of that task has been completed, for the purpose of assisting students in reflecting on their progress and understanding their result.

At Melbourne Law School, all special consideration applications are managed by the Graduate Services Coordinator (Wellbeing) and the Associate Dean (Teaching and Learning) in line with the [Assessment and Results Policy](#). **Academics and professional staff cannot provide outcomes to students.**

Ongoing/Long Term Special Consideration

Where a student has a verified disability or ongoing disadvantage they are eligible to apply for long term special consideration. This is managed by the Graduate Services Coordinator (Wellbeing). Circumstances for which a student may be eligible for long term special consideration include:

- Chronic illness.
- Disability.
- Students with carer status.
- Elite Athletes.
- Army Reservists.
- Elite Performers.

Applying

Students can [apply](#) for long term special consideration via the unimelb portal.

Once a student has submitted an application they are advised to [make an appointment](#) with the Graduate Services Coordinator (Wellbeing) to discuss their eligibility and the types of adjustments they may be eligible for.

Deadlines

There are no official deadlines for registering. However, students are encouraged to register as soon as possible upon beginning their course or as their circumstances become known.

Outcomes

Students registered for long term special consideration may be eligible for the following adjustments:

- Reduced study load.
- Eligibility for extensions of up to 10 days on written assessments (when needed).
- Alternative Examination Arrangements: rest breaks during exams, use of computer, etc.
- Specialist equipment: speaking software.
- Support such as note-takers.

These adjustments will be listed on the student's Academic Adjustment Plan (AAP). The AAP is a document created by the Graduate Services Coordinator (Wellbeing) following review of the evidence submitted in a student's application. This document outlines the types of supports the student is eligible for and the responsibilities the student has for ensuring these arrangements can be made (i.e. timely applications for extension).

General Support and Consultation

The Graduate Services Coordinator (Wellbeing) is available for consultations with students via appointment: <http://law.unimelb.edu.au/students/academic-support-and-wellbeing/wellbeing>

These appointments are for students to discuss special consideration applications and adjustments. If students are seeking psychological assistance, they will be referred to the [University Counselling Service](#).

Academic and Professional staff are welcome to speak with the Graduate Services Coordinator (Wellbeing) to discuss supports available for students. You can contact the Graduate Services Coordinator (Wellbeing), Georgina Mitchell, on 9344 0201 or at law-wellbeing@unimelb.edu.au. Alternatively you can contact the Manager, Graduate Services & Careers, Justine Block on 9035 8024 or justine.block@unimelb.edu.au.

18.11 Word Limits and Late Submission

Penalties for Late Submission

The penalty for late submission is as follows:

Timely submission of all assessment is essential and expected as a core standard to be met by all JD students. Assessment is considered to be late if it is submitted after the prescribed time and date for submission, or after any extension authorised for the purposes of special consideration has expired.

Students who do not submit an assessment task by the due date/time as prescribed on the assessment schedule or authorised as an extension will automatically be subject to a marking penalty. In the case of a take-home examination, the marking penalty for late

submission will be 5% of the total available marks for the first hour or part thereof. For every hour late (or part thereof) after the first hour, the penalty increases to a 10% mark reduction.

In all other cases, the marking penalty will be 10% of the total available marks per day (including weekends and holidays) or part thereof for that particular piece of assessment.

If the examiner feels the imposition of a penalty is inappropriate and that the exercise of discretion may be appropriate, they should contact the Associate Dean (JD).

Word Limits

Each subject in the JD has a marking policy on word limits which is determined by the subject coordinator. This policy is indicated on the assessment schedule and the JD Community LMS page, as well as the subject outline for each subject. The subject coordinator can choose to adopt one of marking policy Code 1, Code 2 or Code 3. In the absence of any express choice by the subject coordinator, the default position is Code 2.

In calculating the number of words for the purposes of enforcing the word limit, citations in footnotes, synopses or abstracts and bibliographies will not be counted.

Coding for marking policy for word limits on assessment is as follows:

Code 1: Any word limit will be enforced strictly and any excess will incur a marking penalty.

Code 2: Work judged grossly in excess of any word limit will incur a marking penalty. Work will be judged grossly in excess of a word limit if its length exceeds that word limit by 10% or more.

Code 3: Any word limit will be regarded as recommended rather than compulsory and no student will be disadvantaged by exceeding the limit.

Penalty: Any penalty incurred will be equal to 5% of the total available marks for the piece of work for each 10% or part thereof by which the number of words exceeds the applicable word limit. For example, for an assessment task with a limit of 2,500 words, a penalty of 5% of the total available marks will be imposed for every 250 words or part thereof by which the submission exceeds (a) 2500 words where Code 1 is applied or (b) 2,750 words where Code 2 is applied.

The submission requirements, lateness penalties, and word limit penalties can be found in the JD Community section of the LMS.

The following sample (from Torts) may be of assistance in providing written or oral guidance to students on the word limit. Note that this template adopts Code 1.

- “This compulsory assignment is worth 30% of your final mark in Torts.
- Word limit:
 - 2000 words: Marking Code 1 applies.
 - This is a ‘strict’ word limit.
 - Citations in footnotes, synopses or abstracts and bibliographies do not count towards the word limit.
 - By implication, all other matters do count as words – from the very start of your work until the final word in your conclusion. For example, headings, repeating the

- question, words other than citations in footnotes, the title and paragraph numbers (if used) amount to words for counting purposes.
- Any text contained within headers or footers that are not a student number or a page number counts as words.
 - Please note your assignment's word length accurately on the first page of your paper.
 - Please submit a word document (not PDF) so your word count can be readily confirmed.
 - Efforts to mislead examiners with respect to the actual word count will not be tolerated. Such efforts may amount to 'academic misconduct'. For example, the use of techniques such as 'white-hyphenating' (stringing words together using hyphens, and painting over the hyphens in white) is unacceptable."

18.12 Collaborative Work Statements

The University's [Student Academic Integrity Policy](#) requires, under provision 5.1, that Deans are responsible for ensuring that:

- (d) Written and online material is provided to students outlining the assessment tasks for each subject which indicates clearly and explicitly whether or not:
 - i. collaborative work is permissible or encouraged in any assessment task; and
 - ii. the extent of collaboration that is allowed in that assessment task;

The following collaborative work codes were adopted to apply to assessment tasks (other than invigilated, final examinations*) following consultation with staff, effective from Semester 2, 2017 (with minor amendments in November 2017 for Sem 1, 2018):

Code 1: Students are not permitted to discuss the topic of the assessment task nor share ideas with others. All research (where applicable to the task) and written work must be the student's own work. This does not prevent students utilising resources provided by the Legal Academic Skills Centre (LASC) but this must not extend to providing a draft paper to the LASC for review prior to submission.

Code 2 (Default): Students are permitted to discuss the topic of the assessment task in general terms and to share ideas with others, but all research (where applicable to the task) and written work must be the student's own work. Students may utilise resources provided by the Legal Academic Skills Centre (LASC), including, for research papers, review by the LASC of draft papers prior to submission.

Code 3: Take-home examinations: Students are not permitted to discuss the examination with any other person, whether in person or online, until the examination is over and their answer has been submitted. This means that students are not permitted to discuss the exam in either general or specific terms or to share ideas about the examination or responses to questions. This does not prevent students contacting the Academic Support Office (ASO) if they believe there is an error or problem with the examination question, or where there is a technical or other issue with submission.

Code 4: This assessment task is a collaborative task. Students are permitted to discuss the topic, generate ideas and prepare the task together with their group members, but should not discuss or share their work with people outside their group.

Code 5: As specified by subject coordinator. Note that any of the above codes can be replaced by Code 5; this is entirely up to the teachers of the subject.

* Note that for invigilated examinations, the position would be one of no collaboration in any form during the examination, in accordance with the examination rules set out in the University's [Assessments and Results Policy](#).

To ensure compliance, collaborative work codes are included in the JD Assessment Schedule on the LMS alongside word limit codes. The ASO will request the subject coordinator to nominate the relevant code and if none is provided, will apply the default code (Code 2).

19. Subject Evaluations

All subjects in the JD are evaluated by students, towards the end of the teaching period. The method by which students are assessed online via [Subject Experience Surveys](#) (SES). The SES is also mobile device enabled (phones, iPads, etc).

Subject coordinators are encouraged to provide students with an additional opportunity to complete their survey in class.

This survey evaluates teaching and learning, and provides feedback from students on their experience of teaching and learning in each of the 'taught' subjects in which they are enrolled.

While the Faculty is interested in student responses to all questions in the evaluations, those particularly important for the quality of the program include:

- This subject was intellectually stimulating.
- This subject was well taught.
- Overall how do you rate this subject.

For most semester 1 or 2 subjects, the SES online surveys are open for 3 weeks (Weeks 11 & 12 and SWOT Vac week) for semester one and semester two. For intensively run subjects, the SES will commence approximately 80% through subject teaching and will be open for approximately 2 weeks. All SES surveys must close prior to the final assessment due date.

In relation to these questions, the Law School would like all teachers to aim for an average score within the range of 4-5, on a scale of 1 - 5, where 5 is the best and 1 the poorest. The University's aim for graduate teaching is 4.1.

Results from the SES go to the Deputy Dean for review prior to being made available to teachers.

20. University and Faculty Policy on Plagiarism in Assessment

Please see the University's web site on Academic Honesty, <http://academichonesty.unimelb.edu.au/>.

20.1 Penalties for Academic Misconduct

If formal disciplinary proceedings are instituted the matter is referred to a Law School Committee to determine allegations of academic misconduct. A range of penalties can be imposed on students found to be in breach of university regulations. Academic Misconduct is dealt with via the [Student Academic Integrity Policy](#) under the [Academic Board Regulation](#).

For law students, an allegation of academic misconduct has particularly significant professional consequences. Graduates in law who seek admission to practise law in Victoria must disclose a finding of academic misconduct to the Board of Examiners for Legal Practitioners. Where there has been academic misconduct, admission to practice may be denied, on the grounds that the applicant is not 'fit and proper for admission as a legal practitioner'.

20.2 Procedure for Suspected Academic Misconduct

In the light of the Board of Examiners' requirements, academic misconduct should be dealt with taking into the account the seriousness of the issue:

- If you suspect that academic misconduct has occurred (whether plagiarism, unauthorised joint work or collusion, resubmission of a piece of work already submitted for credit in this or another subject or any other form academic misconduct) the matter should be brought to the attention of the subject coordinator and the Assistant Dean (T&L). You should not contact the student directly.
- The Assistant Dean (T&L), together with the subject coordinator, will then consider appropriate action in accordance with the [Student Academic Integrity Policy](#).
- The Assistant Dean (T&L) will take into account a number of factors when deciding the appropriate action to take:
 - The degree or instances of plagiarism or collusion evident in the work.
 - The student's year level.
 - The student's educational background.
 - The extent to which the transgressions appear inadvertent or intentional.
 - In any event you should consult with the Assistant Dean (T&L); once the Assistant Dean is aware of the detail of the case it is important to make a timely assessment of the case so that, if necessary it can be referred to the Deputy Dean for advice, at which time the time limits imposed by the Regulation's rules commence.

In any meeting with a student or students, care needs to be taken in providing any advice beyond discussion of the pedagogical issues. In particular, if a student seeks advice in relation to their responsibility to disclose such matters when applying for admission, the advice should be that if in doubt they should disclose but that they should obtain their own independent advice when they are applying for admission.

21. Equal Opportunity

The University of Melbourne is committed to the principle of equal opportunity in education and employment. Equal Opportunity means that all staff and students have the right to fair and equitable treatment and access to resources and services at the University.

MLS has appointed [Law School Equal Opportunity Liaison Officers](#).

Information on diversity and inclusion is available via the [Staff Hub](#); this site also provides a referral point to seek further advice.

22. Teaching Facilities

Teaching spaces are equipped with advanced audiovisual facilities, networking and computing infrastructure. This includes a computer, computer projector system, DVD player, wireless microphone and hearing loop. Although recording facilities exist in some rooms, classes are not normally recorded in the JD beyond those for approved students who are receiving ongoing special consideration support.