

2018 Regulatory Framework for Quality Assurance

Encompassing the institution's Academic Statute,
Academic Regulations, Quality Management System
and staff and student Codes of Conduct.

Toi Ohomai Institute of Technology Council

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TOI OHOMAI INSTITUTE OF TECHNOLOGY REGULATORY FRAMEWORK

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INTRODUCTION

This Regulatory Framework encompassing the Academic Statute (hereafter called the Statute) is made by Council pursuant to section 194 of the Education Act 1989. It sets out the rules, regulations, policies and procedures by which the Institution assures its compliance with its legislative requirements.

Interpretation

In this Regulatory Framework:

- a) Defined terms are set out in Part 6 of this document;
- b) Any reference to any gender includes all genders and a reference to the singular includes the plural and vice versa;
- c) Any reference to specific organisational units and/or roles is superseded by organisational changes that result in changed structures/titles, where the functions remain;
- d) Unless the context otherwise requires, references to sections and schedules are references to sections and schedules of this document; and
- e) Except where defined in this Regulatory Framework or where it is inconsistent with the context, words used shall bear the meaning set out in section 159 of the Education Act 1989.

Structure of the Regulatory Framework

The Regulatory Framework is laid out in six parts:

- Part 1, the Statute, establishes the Academic and Organisational Governance Structures of the Institution.
- Part 2 sets out the specification for the *Quality Management System (QMS)* which comprises academic policies and procedures for the maintenance of academic integrity of the institution, compliance with the Education Act and other relevant legislation, and with NZQA requirements; and policies and procedures covering the institution's business processes and compliance with relevant New Zealand legislation.
- Part 3 sets out the *Academic Regulations*—covering enrolment, attendance, academic progression, assessment, academic misconduct, results, certification and graduation.

- Part 4 sets out the *Student Code of Conduct* covering expected student behaviours and discipline procedures.
- Part 5 covers the *Staff Code of Conduct*.
- Part 6 sets out the definitions and terms used within the Institution.

SCOPE

Purpose

The purpose of this Regulatory Framework is to formally establish the regulations, principles and systems by which the academic and organisational governance, management, quality assurance and business processes of the Institution operates. It assures compliance with the legislative environment and describes expectations for staff and student conduct at Toi Ohomai Institute of Technology.

Application

- a) The scope of this Regulatory Framework extends to all business, support, learning, teaching and research activities delivered by, and on behalf of, Toi Ohomai and applies to all students, staff, adjunct faculty and contractors of the Institute as well as the operations and processes required to maintain the quality and sustainability of the Institution's business.
- b) This Regulatory Framework will have ongoing effect, and may be amended at any time by Council after requesting the advice of the Academic Board and the Leadership Team, and considering any advice given by the Academic Board and the Leadership Team.
- c) Any such amendments that affect students and/or the delivery of academic activities shall either be incorporated in published information about programmes/qualifications and courses or be notified in writing to all students affected by the variation. The latest approved electronic version of this Regulatory Framework shall be the authoritative version and will be available on the Institution's website.
- d) Amendments to this Regulatory Framework impacting on staff shall be notified on the Institution's intranet.
- e) Programme regulations or regulations set by a professional body with oversight of a programme of study will have authority over regulations set out in this Statute.

Reference Documents

1. Education Act 1989 and amendments.
2. Council Appointment Statute.
3. Toi Ohomai Council Standing Orders.
4. Toi Ohomai Academic Committee Handbook.
5. NZQA Requirements for Approval and Accreditation of Programmes and Qualifications.
6. Education (Pastoral Care of International Students) Code of Practice 2016.

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Part 1 - Academic Statute

1.0 Organising Principles

Academic quality and institutional integrity will be managed in accordance with external regulatory standards and relevant statutory requirements.

1.1 Quality Management System (QMS)

The Institution will establish a Quality Management System (QMS). Academic policies and procedures are approved by the Academic Board to ensure that there are comprehensive and coherent policies and procedures in place to enable effective governance and management of all operational aspects that impact teaching, student learning, staff and student research, conferral or awards and academic services.

Business policies and procedures are approved by the Leadership Team to ensure that there are comprehensive and coherent policies and procedures that enable effective management of all aspects of business operations.

1.2 Requirements of Policies and Procedures

- a) Policies govern the specific operation of an organisation. A policy may not be required when there is existing legislation governing operations. A policy may be required:
 - When there is a change in legislation or regulatory policy;
 - When there has been an increase in accidents or incidents of legislative non-compliance;
 - When several staff require clarification on the same matter;
 - When there is confusion amongst staff;
 - When there is inconsistency in performance;
 - When there is an increase in student/stakeholder complaints;
 - Where it is deemed a policy would support the institute in its core business; or
 - Where a policy would assist the institute to operate more effectively.

- b) All policies and processes within the QMS will be developed with appropriate representation and active participation of stakeholders, for the purposes of:
 - Determining the degree to which stakeholder needs are identified and met;
 - Considering the views and interests of all affected stakeholders;
 - Responding to trends and developments in the wider community; and
 - Reflecting Toi Ohomai values.

- c) All policies and procedures will:
- Be developed through meaningful consultation with relevant staff, students and other stakeholders as appropriate;
 - Be written in plain English;
 - Establish ownership and accountability for implementation; and
 - Be current and subject to periodic review.
- d) Policy and procedures included in the QMS will reflect need and good policy practice, and regard for the following underpinning values:
- Whakapono – honesty;
 - Mana – honouring the contribution of others;
 - Wairuatanga – maintaining integrity and incorporating bicultural perspectives;
 - Tūmanakotanga – encouraging continuous improvement and recognition of excellence;
 - Mōhiotanga – supporting life-long learning; and
 - Manākitanga – providing a nurturing and supportive environment.

1.3 Intended Outcomes

The outcomes intended to be achieved through the establishment of the principles and systems in this Regulatory Framework are set out below.

1.3.1 Academic Quality Outcomes

- a) Students who successfully complete their studies, and achieve qualifications relevant to their career aspirations.
- b) Students who are socially engaged and able to work with people from other cultures and in a global context.
- c) Students who gain employment relevant to the qualification they studied and/or who are successful in future study.
- d) Industry relevant qualifications that maintain currency.
- e) Programmes of study that are academically robust, applied and practical, sustainable, and technically, professionally, culturally, nationally and internationally relevant.
- f) Applied research that adds value to the Institution and/or its stakeholders.
- g) Rigorous evidence-based self-assessment that is used to inform institutional development and quality enhancement.

1.4.2 Institutional Outcomes

- a) Legislative compliance.
- b) Cultural responsiveness – establishing and maintaining valued and empowering relationships with students, iwi and all other Institute partners.
- c) Financial sustainability.
- d) Staff competence, performance and wellbeing.
- e) Organisational health and safety.
- f) Risk management.
- g) Reputation.
- h) Responsiveness to the Tertiary Education Strategy (TES) and Statement of Tertiary Education Priorities (STEP).
- i) Strategic alignment with the needs of the wider Bay of Plenty and Aotearoa–New Zealand.

2.0 Governance and Management

2.1 Council

- a) Toi Ohomai is governed by a Council with membership as established under Section 222AD of the Education (Polytechnics) Amendment Act 2009.
- b) In accordance with Section 222AH of the same Act, members of the Council must:
 - i. Act with honesty and integrity; and
 - ii. Act in the interests of the Institute as a whole; and
 - iii. Act in a manner that promotes the performance and function of the Institute, and the duties of the Council; and
 - iv. Act in good faith and not pursue his or her own interests at the expense of the Council's interests; and
 - v. Exercise the care, diligence, and skill that a reasonable person would exercise in the same circumstances, taking into account the nature of the Council and their position.

2.1.1 Accountability

Under Section 222A1, the Council members are accountable to the Minister of Tertiary Education with respect to fulfilling their statutory responsibilities.

2.1.2 Responsibility

Toi Ohomai Council is responsible for ensuring the Institution operates within legislative requirements including, but not limited to, those imposed by: the Education Act 1989; the Employment Relations Act 2000; the State sector Act; the Public Finance Act 1989; the Health and Safety at Work Act 2015; and any amendments to these acts; the requirements of the Auditor General and the rules of NZQA.

The Council membership, terms of reference, appointment procedures and code of conduct are set out in the **Council Standing Orders**.

2.1.3 Delegations

As outlined in Toi Ohomai's Delegations and Policy Manual, the Council delegates the implementation of the Statute, its underpinning Academic Regulations, Quality Management System, and the management of the operational, planning, academic and administrative functions of the Institution to the Chief Executive and the Institution's Executive Leadership Team.

2.2 Academic Board

- a) Council has an Academic Board responsible for ensuring appropriate systems are established, implemented and monitored to manage the programme portfolio, the integrity of awards and qualifications, and the academic quality and processes at Toi Ohomai.
- b) The powers and functions of the Academic Board are to advise Council on matters relating to programmes of study or training, qualifications, and other academic matters, and to exercise the following powers hereby delegated by Council, in particular to:
 - i. Providing advice, recommendations and reports on all academic matters
 - ii. Recommending to Council the approval of the Academic Statute and Academic regulations
 - iii. Recommend to Council the approval of a Qualification/Programme Portfolio Development and delivery Plan
 - iv. Approving new, revised or discontinued qualifications and programmes of study
 - v. Establishing policy and processes for eligibility, planning of numbers and selection criteria to be used in the enrolment of students
 - vi. Granting scholarships, bursaries, prizes, and qualifications within approved policies
 - vii. Approving academic strategies to support achievement of strategic direction and recommending to Council their endorsement
 - viii. Approving arrangements for the issue and conferring of formal awards to students eligible to graduate
 - ix. Approving arrangements for the termination of enrolment of students who are in breach of the Academic Regulations or the Student Code of Conduct. The Chief Executive retains the power to hear appeals

- x. Hearing and adjudicating grievances and appeals arising from academic matters, including cancellation of enrolment, and where necessary making recommendations to the Chief Executive
 - xi. Approving formal collaborative pathway arrangements on the recommendation of Academic Development Committee
 - xii. Reviewing decisions made under the Appeals provisions of the Academic Statute as required
 - xiii. Approving the Quality Management System and monitoring its implementation
 - xiv. Monitor self-assessment, evaluation and review outcomes and, use information to recommend future plans
 - xv. Monitoring the work of the committees of Academic Board and debate reports and issues arising from the work of these committees
 - xvi. Monitoring research outputs and the way in which research and scholarship inform teaching and learning
 - xvii. Monitoring articulation agreements and collaborative partnership arrangements with other providers including, where possible the achievements of students progressing via such arrangements
 - xviii. Providing responses to external bodies in relation to strategic issues impacting academic matters
 - xix. Maintaining oversight of strategic development within the external education environment and debate implications
 - xx. Debating policy issues impacting on the development of the institution and
 - xxi. Acting as a forum for collegial discussion and debate of academic issues.
- c) The Chairperson of the Academic Board will be the Executive Dean who will have the right to appoint members, determine periods of membership and set procedures for the operation of the Academic Board.
- d) Membership of the Academic Board will be approved by the Chairperson on an annual basis and will comprise representatives of key stakeholders, including staff and students. Members will be appointed with respect for ensuring that appropriate knowledge informs and adds value to decision-making. Additional members may be co-opted by the Board as necessary for a defined period or specific purpose.
- e) Academic Board will establish subcommittees to assist in the academic processes and deliberations of Toi Ohomai. Establishment of committees will include appointment of a Chairperson, terms of reference, membership requirements, reporting responsibilities to the Board, extent of decision-making powers and the period for which delegated authority is granted.

2.2.1 Accountability

The Academic Board is accountable to Council for ensuring appropriate mechanisms exist to facilitate, manage, monitor and evaluate all aspects of academic quality and the Academic Quality Management System (QMS) – Academic.

2.2.2 Responsibility

Responsibilities relating to academic quality shall be determined by Academic Board annually, or from time to time in response to identified needs and/or at the request of Council.

The makeup of the Academic Board, its Committees, and terms of reference, membership and operation will be reviewed annually.

3.0 Academic Strategy

- a) Council will establish the Institution's strategic direction with respect to:
- Programme portfolio development;
 - Overarching teaching and learning philosophy;
 - Use of technology;
 - Regional and national responsiveness;
 - Indigenous knowledge and practice;
 - Internationalisation/globalisation;
 - Working with iwi and Treaty partnership; and
 - Sustainable development.

4.0 Qualifications and Programmes of Study

4.1 Portfolio Management

- a) The qualifications and/or programmes of study and training schemes will be approved by the Academic Board under delegated authority from the Council.
- b) All changes to the programme portfolio will be supported by a business case/needs analysis with evidence of demand, impact and strategic alignment with institutional priorities and regional/national needs.
- c) Where addition of a programme/qualification is in an entirely new strategic direction for the Institution, it will be approved by Council.
- d) Removal of qualifications/programmes of study from the academic programme portfolio that do not conform the strategic direction of the Institute will be approved by Academic Board.

- e) Where removal of qualifications/programmes of study results in a change of the Institution's strategic direction, Council approval will be required.

4.2 Qualifications/Programmes of Study

- a) Programmes and qualifications offered by Toi Ohomai will comply with NZQA rules, regulations and standards and, where required, be Approved by NZQA and listed in the NZQF.
- b) Qualifications will be defined by:
- Qualification/award type;
 - Level;
 - Credits;
 - Strategic outcome statement including employment and/or academic pathway;
 - Links to other qualifications; and
 - A programme of study that sets out what a student must do and achieve to gain the qualification/award.
- c) Qualification, programme and course credits will be allocated to courses on the basis of one credit for each notional 10 hours of student learning or 1/120 of a notional equivalent full-time student (EFTS) as per the NZQF.
- d) All courses and programmes shall be classified at levels 1, 2, 3, 4, 5, 6, 7, 8, 9 or 10 according to the NZQF and be classified against the NZSCED.
- e) Qualifications awarded by Toi Ohomai may be formal or non-formal.

4.2.1 Formal Awards

- a) Toi Ohomai offers the following formal awards (as defined under NZQA rules):
- Master's Degree;
 - Postgraduate Diploma;
 - Postgraduate Certificate;
 - Graduate Diploma;
 - Graduate Certificate;
 - Bachelor's Degree
 - Diploma; and
 - Certificate.
- b) All formal qualifications awarded by Toi Ohomai and delivered in New Zealand will be approved by NZQA and listed on the NZQF.
- c) All formal qualifications shall be awarded on successful completion of an approved programme and completion of any other specified criteria that must be met for award of the qualification.

- d) Where a qualification or programme is not quality assured by NZQA, no reference to NZQA may be used on any programme documentation, programme promotion, academic record or parchment issued.
- e) Parchments for formal awards issued by Toi Ohomai shall bear the Council's seal.
- f) Where completion of the programme leads to an award by another authority, the regulations of that authority will apply.

4.2.2 *Certificates of Proficiency (CoP)*

- a) A Certificate of Proficiency (CoP) is an award given for a programme of study designed to meet the needs of an individual learner, consisting of one or more assessed courses from an already approved programme and approved by Academic Board or their delegate.

4.2.3 *Non-formal Awards*

- a) Toi Ohomai offers a mix of assessed and non-assessed programmes that lead to the issuance of non-formal awards on successful completion. Such programmes will normally be called Training Schemes to differentiate them from programmes leading to formal awards.
- b) Non-formal awards include:
 - Recognition of Achievement awards.
 - Recognition of Participation awards.
 - Recognition of Attendance awards.
 - Skills Achievement awards.
- c) Non-formal awards will be issued on successful completion of the programme/Training Scheme associated with the award.
- d) Non-formal awards will be issued on a standard template approved by Academic Board but will not carry the Council seal.

5.0 Admission and Enrolment

5.1 Admission

- a) Once a qualification and/or programme has been approved for development, it may be promoted to prospective students and applications for admission may be provisionally accepted providing intending students are informed that approval of the programme by Academic Board and NZQA (where this is required) is pending. If approval is not gained from NZQA, students' provisional admission must be withdrawn.

- b) The admission requirements, setting out what students must demonstrate to gain admission for a specific programme, must be available to intending students and must not constitute an unreasonable barrier to entry. Refusal of admission must be justifiable.
- c) Persons seeking admission in programme(s) provided jointly by Toi Ohomai and another institution/organisation must also satisfy the admission requirements of that other institution/organisation.
- d) Any person who has attained the age of 20 years and has not attained the minimum academic entry qualifications required for admission to a particular programme may be eligible to be enrolled as a student under special admission (see Academic Regulation 3.1.3). Relevant prior learning experiences will be taken into account in any application for special admission.
- e) Persons who have not attained the required minimum entry qualification and who will not have attained the age of 20 by the first day of the programme, may be granted special admission in exceptional circumstances.
- f) If a student declares they have a disability or impairment that is likely to impact on their ability to participate or demonstrate capability in any aspect of their programme/course, they must have an appropriate assessment of their needs so that suitable arrangements can be made to support their learning.
- g) A student who needs to have sign language translation to undertake their studies should notify the Institution at the time of admission/enrolment so that such support can be organised.
- h) The Institute may refuse admission to a person whose disability is such that special facilities and services cannot be reasonably made available to support the student in their course/programme, or where the student's disability may pose a hazard to themselves or to others in carrying out the requirements of the programme¹.
- i) All intending students must complete the Toi Ohomai enrolment and/or application form as appropriate in full and provide all documentation required.

5.2 Enrolment

- a) Students who are admitted into a programme will be able to enrol in courses within that programme on a semester by semester basis. Fees will be calculated on the study load associated with the courses a student enrolls in.
- b) Students may be enrolled into a programme through credit recognition and transfer with cross credits,(due to undertaking similar study), and/or Recognition of Prior Learning (RPL) Recognition of Current Competency (RCC).

¹ Ref Section 60 of the Human Rights Act 1993

- c) No person shall be enrolled if they have outstanding fees/debt owing at the Institution, unless a suitable arrangement has been made to clear the outstanding amount.

5.3 Limitation on enrolment numbers

- a) Where the Group Manager responsible for a programme is satisfied that it is necessary to do so, she/he may determine the maximum number of students who may be enrolled in a particular course or programme in a particular year or semester. In such cases, approved selection criteria will be used to determine how students gaining a place in the course/programme.

5.4 Fees

- a) The Council of the Institution will set the framework for all programme and course fees on an annual basis as it sees fit and in accordance with the Annual Maximum Fee Movement.
- b) Council may also set fees for services provided to students such as administration fees, assessment fees or student services levies.
- c) Refund of fees will be given in line with the Fee Refund Policy. The Fee Refund Policy will be available on the institution's website.

5.5 Withdrawals

- a) A student may withdraw from a course or programme at any time by giving notice to the relevant Programme Manager.

6.0 Conferring Awards

6.1 Powers of Council

- a) The Institution's Council has the power to confer all Toi Ohomai degrees, graduate and postgraduate awards, and award all diploma and certificate qualifications approved and accredited by NZQA.
- b) The Institution's seal will be affixed to the approved parchments for all formal qualifications awarded by Toi Ohomai.

6.2 Awarding of Qualifications

- a) All graduates of programmes leading to formal awards must be approved by Academic Board.
- b) In giving their approval to graduate a student, Academic Board must be satisfied that the student has accumulated the number and level of credits required for completion of the qualification, and has fulfilled all other requirements of the qualification, as stated in the programme regulations.

- c) To be awarded a Toi Ohomai qualification, students must have completed a minimum of 30% of their credits through study with Toi Ohomai unless otherwise stated in the programme regulations. Credits gained through cross credits or RPL are not counted as 'credits completed through study'.
- d) Degrees will be awarded with merit or distinction in accordance with programme regulations, where applicable.

6.3 Conferral of Honorary Degrees

- a) The Council of Toi Ohomai may admit persons *honoris causa* to such degrees as are specified in the rules made by Council for the purpose of this clause.

6.4 Graduation

- a) Students meeting the requirements for award of a certificate, diploma, Bachelor's degree, graduate or postgraduate certificate or diploma, or Master's degree will be eligible to receive their parchment at a graduation ceremony.

6.5 Academic Dress

- a) Graduands of the Institution will appear for graduation ceremonies in the academic dress approved for the qualification.

Part 2 – Quality Management System

1.0 QMS – Academic

- a) The academic policies and procedures within the Quality Management System (QMS) govern the academic matters of the Institution to ensure students and institutional outcomes are met.
- b) The QMS ensures that Toi Ohomai is compliant with legislative requirements, and meets obligations and national standards required by key stakeholders particularly NZQA, MoE and TEC.
- c) Policies and procedures set out in the QMS – Academic will:
 - Facilitate the design and development of curricula, and teaching and assessment resources that support applied learning and achievement of intended outcomes;
 - Enable the smooth progression through the student lifecycle;
 - Ensure quality, relevance and value for money of programmes delivered;
 - Ensure validity, reliability and fairness of assessment;
 - Ensure legislative requirements and compliance are met;
 - Ensure transparency and accuracy of internal and external reporting;
 - Align with institutional commitments to cultural responsiveness and those in the Institution’s Strategic Intent and Investment Plan;
 - Include student participation in decision-making;
 - Address the diverse needs and circumstances of the student population; and
 - Acknowledge the Treaty of Waitangi.

1.1 Academic Quality Outcomes

1.1.1 *Student Outcomes*

1.1.1.1 Student Achievement

- a) Student achievement includes facilitating achievement of applied, technical and professional qualifications that enable graduates to:
 - Gain employment by transferring their learning into a range of practical contexts;
 - Progress to further study;
 - Be socially engaged and responsible citizens/or become active citizens;
 - Be culturally responsive and able to work with people from a range of cultures; and
 - Apply sustainability principles.

- b) The QMS will contain policy and procedures that support implementation of measures of success including:
- Students completing courses and qualifications;
 - Students satisfied with their learning experience; and
 - Students gaining employment and/or success in their further study.

1.1.1.2 Teaching and Learning

- a) QMS policy and procedures will ensure learning and teaching activities, including those associated with research and advanced scholarship, are designed in accordance with relevant policies and processes to:
- Support educational achievement;
 - Foster student engagement;
 - Prepare students for employment and/or educational pathways; and
 - Ensure staff have appropriate sets of skills and knowledge to facilitate and support student learning and acknowledge the Treaty of Waitangi.

1.1.1.3 Student Support

- a) QMS policy and processes will ensure the availability of accessible, effective and culturally-appropriate information relevant to students' study, academic material and required study and pastoral assistance to support academic achievement.
- b) QMS policies and processes will ensure mechanisms are in place to enable students to advocate for their rights and have access for advocacy support when required.
- c) QMS policies and processes will ensure compliance with NZQA requirements and requirements of the Education (Pastoral Care of International Students) Code of Practice 2016.

1.1.2 Institutional Outcomes

1.1.2.1 Institutional Success

- a) The QMS will contain policy and procedures that support implementation of institutional success measures including:
- Achievement of the highest level of recognition of academic quality in terms of EER rating;
 - Strong community engagement by staff and students;
 - Employer satisfaction with graduates and programmes offered;
 - Iwi and stakeholder satisfaction with institutional relationships; and
 - Research programme aligned to industry, professional and regional needs.

1.1.2.2 Stakeholder Engagement

- a) The QMS will contain policies and procedures requiring all organisational units and teaching teams to obtain Stakeholder engagement, including feedback and/or advice to inform decisions relating to academic developments and experiences as appropriate.

1.1.2.3 Ethical Practice in Research

- a) The QMS will establish policies and procedures to ensure research conducted by staff and students is valid, culturally safe, ethical, approved and managed.

1.1.2.4 Self-assessment

- a) The QMS will ensure policy and processes are in place to support self-assessment using evidence-based evaluation. These systems will extend to the validation and moderation of assessment and assessment outcomes.
- b) Self-assessment and evaluation will be evidence-based and will use agreed performance measures. Processes used will include stakeholder feedback and evaluative input from those involved in the development and delivery of the initiative.
- c) Reports of self-assessment and evaluative activity will be received and considered by the Academic Board and/or its subcommittees who will be responsible for ensuring recommendations for improvements in resourcing or practice are implemented.

1.2 Framework for Academic Policies in the QMS

- a) The Quality Management System encompasses a number of strategic and academic focus areas as outlined below, for which relevant policies and procedures have been developed and approved by Toi Ohomai's Academic Board:
 - Qualification/programme portfolio planning and development;
 - Qualification/programme approval, design, development and review;
 - Programme delivery, teaching and assessment;
 - Student admission, enrolment, information, guidance and support;
 - Recognition of student achievement;
 - Student and staff research;
 - Community relationships, partnerships and collaborations; and
 - Continuous Quality Improvement.

- b) The Academic Board will approve academic policies and put in place structures and systems to ensure academic policies, procedures and systems are implemented effectively including having processes for evaluating their effectiveness in enhancing and increasing educational performance and outcomes.

2.0 Business Policies in the QMS

- a) The Business policies and procedures in the QMS govern the business matters of the Institution.
- b) They ensure that Toi Ohomai is compliant with legislative requirements, acts as a good employer, meets health and safety requirements and manages risks, facilities and finances prudently.

2.1 Institutional Outcomes

- a) The QMS will contain policy and procedures that enable the Institution to be:
 - Financially sustainable;
 - A good employer;
 - Fiscally responsible;
 - Actively pursue principles of sustainable practice; and
 - Compliant with relevant legislation including legislation covering health and safety, public finance, privacy, copyright and intellectual property.

2.2 Framework for Business Policies and Procedures in the QMS

- a) The Leadership Team will be responsible for approving business policies contained in the QMS to enable effective management of all aspects of business operations including:
 - Strategic, investment and business planning;
 - Budgeting and Financial management;
 - Records Management, intellectual property and copyright;
 - Human Resources;
 - Information Systems;
 - Facilities and Asset Management;
 - Health and Safety; and
 - Assessment and management of risk.

Part 3 – Academic Regulations

1.0 Scope

- a) These Academic Regulations apply to all staff and students enrolled at Toi Ohomai Institute of Technology and cover programmes for which (formal and non-formal) awards or qualifications may be granted.
- b) Where there is a conflict between the Academic Regulations and specific programme regulations, the programme regulations will prevail. Breaches of the Academic Regulations, programme regulations or any associated academic policies will be dealt with using the Student Complaints and Discipline Procedure.

2.0 Programme Regulations and Course Information

- a) Every programme leading to a Toi Ohomai or a New Zealand qualification or a Toi Ohomai formal or non-formal award must be supported by a written programme document approved by the Academic Board, and /or delegated subcommittee, and, where required, NZQA, detailing the formal requirements for the completion of the programme and its constituent courses.
- b) Programme regulations and course information must be made available and accessible to students at the start of their study.
- c) Students must ensure they are aware of any regulation relating to their programme of study. Ignorance of any regulation is not a valid excuse for non-compliance.

3.0 Academic Entry, Admission and Enrolment

3.1 Admission

- a) Admission, entry, selection and enrolment into programmes will be in accordance with the Academic Regulations and/or, where approved, specific programme regulations.
- b) Students must provide evidence that entry criteria have been met and all documentary evidence required for admission, including academic records, must be either an original, a certified copy or a certified translation. Note: Original IELTS records are required.
- c) Students may be admitted and enter their programme at an appropriate point through the granting of academic credit, or as a result of the recognition of prior learning (RPL) process, unless expressly prohibited in the programme regulations, and on payment of a fee approved by Council.

3.1.1 General Admission Requirements

- a) Where no separate programme regulations have been approved for a programme, the academic admission requirements will be:

i. Admission to Master's Degrees (Level 9)

All students (domestic and international) must:

- have completed a Bachelor's degree, Bachelor's degree with Honours, or a Postgraduate Diploma in a cognate subject recognised by Toi Ohomai; or
- be able to demonstrate at least five years' equivalent relevant practical and/or professional experience; and
- provide evidence of ability to complete academic and other requirements (special admission requirements).

ii. Admission to Postgraduate Certificates and Postgraduate Diplomas (Level 8)

All students (domestic and international) must:

- have completed a Graduate Certificate, Graduate Diploma or a Bachelor's degree in a cognate subject recognised by Toi Ohomai; or
- be able to demonstrate at least five years' equivalent relevant practical and/or professional experience and
- provide evidence of ability to complete academic and other requirements (special admission requirements).

iii. Admission to Bachelor's Degrees (Level 7)

Domestic students under 20 and all international students must:

- meet the University Entrance criteria as specified by NZQA or have education achievement at least equivalent to NZQA University Entrance. Where an applicant did not attend schooling in New Zealand, the relevant equivalent to University Entrance will be considered on a case-by-case basis; and
- meet all programme entry requirements; or
- provide evidence of ability to complete academic and other requirements (special admission requirements).

Domestic students over 20:

- students who do not hold a University Entrance qualification or equivalent may be eligible for admission to a Bachelor's degree programme subject to any entry and selection requirements specified in the respective programme regulations, and have evidence of ability to complete academic requirements.

iv. Admission to Graduate Certificates and Graduate Diplomas (Level 7)

All students (domestic and international) must:

- have completed an undergraduate degree in any discipline; or
- have completed a minimum of a two-year diploma equivalent to NZQA Level 7 or higher in a related discipline; or

- be able to demonstrate at least three years' equivalent relevant practical and/or professional experience (a curriculum vitae must be submitted detailing relevant work experience and professional achievements).
- v. Admission to Certificate and Diplomas (Levels 5-7)
- For certificate and diploma programmes at Levels 5, 6 and 7, domestic students under 20 and all international students must have:
- NCEA Level 2 with passes in English/Te Reo Māori or education achievement at least equivalent to NCEA Level 2, and a minimum of 42 credits at Level 3; or
 - evidence of ability to complete academic requirements for the programme.
- vi. Admission to Certificates (Levels 4)
- For programmes at Level 4, domestic and international students will normally be required to have:
- NCEA Level 2 with passes in English/Te Reo Māori or education achievement at least equivalent to NCEA Level 2; or
 - evidence of ability to complete academic and any other programme requirements.
- vii. Admission to Certificates (Levels 1-3)
- For programmes at Levels 1-3, domestic and international students will be required to:
- provide evidence of ability to complete academic requirements.

3.1.2 Additional requirements for International students

- a) In addition to meeting the programme entry requirements, international students must:
- Have evidence of receipt of an appropriate visa; and
 - Be over 18 years of age (applicants between the ages of 14 and 18 years will only be accepted after an assessment of the student's support systems has been made)².
- b) International students must demonstrate ability to meet the English language requirements of the programme in which they enrol including any professional requirements for English capability.
- c) Unless otherwise specified in the Programme Regulations the English language requirements for students who come from non-English speaking backgrounds are those equivalent to:

Qualification Level	L3	L4	L5	L6	L7	L8 and Above
IELTS	General or Academic score of 5 with no band score lower than 5.	General or Academic score of 5.5 with no band score lower than 5.	Academic score of 5.5 with no band score lower than 5.	Academic score of 6 with no band score lower than 5.5.	Academic score of 6 with no band score lower than 5.5.	Academic score of 6.5 with no band score lower than 6.

² Ref. Education (Pastoral Care of International Students) Code of Practice 2016

- d) Other approved English language tests may be used to demonstrate that the English standard is met. See the NZQA website: <http://www.nzqa.govt.nz/about-us/our-role/legislation/nzqa-rules/nzqf-related-rules/the-table/>
- e) Exemptions from proof of English language proficiency criteria will comply with NZQA rules see <http://www.nzqa.govt.nz/about-us/our-role/legislation/nzqa-rules/nzqf-related-rules/programme-approval-and-accreditation/8/18/>
- f) Toi Ohomai reserves the right to test students for English language proficiency at any time during their enrolment. Test results will be used to determine additional support requirements, where it is identified that students need additional support.

3.1.3 *Special Admission*

- a) Where applicants do not meet all entry requirements, they may gain special admission if Toi Ohomai is satisfied the applicant is capable of meeting the academic requirements and where literacy and numeracy skills are sufficient to meet health and safety requirements.
- b) No domestic student under the age of 16 years may be admitted for any programme unless permission has been granted by the Principal of the school at which the student is enrolled or the student has been exempted from attending school by a designated officer of the Ministry of Education³. Any such student must also demonstrate ability to be able to achieve at the level of tertiary study they plan to study.

3.2 Enrolment

- a) Students meeting entry requirements and admitted into a programme will be enrolled in scheduled courses, on a semester by semester basis and may complete up to 1.5 EFTS study load in a 12 month period. Students wishing to study more than 1.5 EFTS study load in a 12 month period will require Academic Board approval. Students enrolling in less than a 0.8 EFTS study load in one or more semesters will be classed as part-time.
- b) All information and documentation required to confirm an enrolment must be provided for an enrolment to be completed.
- c) Any student who submits an enrolment form or completes enrolment formalities after the stipulated closing date for enrolment may be liable for a late payment penalty fee.
- d) Students enrolling more than two weeks after the start date of the course/programme will not be accepted other than with the approval of the Programme Manager responsible for the programme.

³ Ref. Sections 21 and 26 of the Education Act 1989

3.3 Limitations on Student Numbers

- a) Where a limitation is set on student numbers in any course or programme, selection criteria approved in programme regulations will be applied to determine who will be offered a place.
- b) If no selection criteria are approved, then preference will be given to students in the order in which applications were received.
- c) Selection criteria must be notified to students prior to or at the time of application for admission.

3.4 Fees

- a) Fees for domestic and international students will be published on the Institution's website.
- b) Prior to the formal publication of fees, students may be advised of an 'estimated fee' to assist their financial planning. The student is liable to pay the published fee. If an administrative error results in an incorrect fee being published or quoted to a student, the institution reserves the right to correct the error and the student is liable to pay the corrected fee.
- c) All fees must be paid in full prior to the start of the course unless alternative arrangements have been agreed in writing. Students who have not paid all fees or have agreed arrangements in place to pay fees by the due date:
 - May be referred to debt collectors;
 - May be denied admission to classes and access to facilities including library and computing; and
 - Will not be able to graduate until all approved fees are paid.

3.5 Cancelling Programmes or Courses

- a) Only the Chief Executive has the authority to cancel a programme prior to its commencement. In such cases, admitted and enrolled students will be notified immediately and all fees will be refunded in full.
- b) Where it appears to the Group Manager responsible for a programme that the number of students accepted in a particular course is insufficient to justify its running, then they may seek approval to cancel the course offering providing the decision to cancel the offering is more than two weeks prior to the start of the course. If all enrolled students are able to be accommodated in another course or course offering, the course can be cancelled. If the course is a core compulsory course that is required by students to enable them to complete their programme in a particular semester, the course may be offered as an independent study option, or the student may be offered an individual programme of study (CoP).
- c) The Institution has the right to cancel, postpone or reschedule classes without notice, or otherwise breach the enrolment contract, if the breach is caused by a reason beyond its control including, but

not limited to, prevention from or hindrance in obtaining materials or supplies, labour disputes of whatever nature, act of God, fire, act of Government or state, social or political unrest or war.

3.6 Changes to Enrolment in Programmes

3.6.1 *Transfer of Enrolment*

- a) A student may make changes to their enrolment contract prior to starting the programme/course or within the first 10% of the delivery period with no academic penalty. Such changes should be discussed and agreed with teaching staff and may include transfer from one course/programme to another course/programme, transfer from one semester to another or withdrawal from a course/programme. Any differences in fees will be either refunded or become a student liability as appropriate.
- b) No transfers are available for programmes leading to non-formal awards.

3.6.2 *Withdrawal from Course/Programme (Domestic Students)*

- a) A student may withdraw from a course (or programme) anytime in the first 10% or one month of the delivery period (whichever is lesser) of the course with no academic penalty by notifying the institution of the intention to withdraw.
- b) Where a student is enrolled but does not participate in any of the scheduled learning activities of a particular course or courses during the first 10% or first month of the delivery period (whichever is lesser), they may be withdrawn from the course(s) as a 'no show'. In such cases, the student will have no academic record for the course(s).
- c) Where a student is enrolled on a course, has begun to participate in their scheduled learning activities and then stops, but has not initiated a formal withdrawal process, and has not responded to communications, Toi Ohomai may withdraw the student from the course.
- d) Where a student withdraws from a course or programme after 10% or one month of the delivery period (whichever is lesser), their academic record will be amended to reflect this.
- e) Any refunds of fees resulting from withdrawal fees will be in line with refund policy.

3.6.3 *Withdrawal from a Course/Programme (International Students)*

- a) International students who have accepted a place and have approval in principle for a visa which is subsequently declined by Immigration New Zealand will be entitled to a full refund of fees paid, less the international administration fee.
- b) International students who have accepted a place; paid fees; been issued with a visa; but then withdraw during the month prior to the course start date may be entitled to a refund of fees as determined by the Toi Ohomai Enrolment/Fee Refund Policy (see website).

- c) International students who withdraw after the course has commenced will not be entitled to a refund of fees paid except in exceptional mitigating circumstances. Determination of such refunds will be at Toi Ohomai's discretion.

3.6.4 *Changes to an International Student's Residency Status*

- a) An international student who gains permanent residency is entitled to be treated as a domestic student. They will not receive a refund of fees for the semester during which the permanent residency is granted. However, the student will be entitled to pay domestic fees for subsequent semesters that start after permanent residency was granted, and will be refunded any difference between domestic and international fees for those semesters. For non-semester courses, international fees are payable for the full year. If permanent residency is granted during the year in this later instance, no part of the international fee for that year is refundable.

3.7 Credit Recognition and Transfer

- a) Applications for the credit recognition and transfer (including through cross credits or exemptions) and/or RPL will normally consider the credit or experience gained within the five years prior to the application (or for a period as specified in the programme regulations). This ensures currency of knowledge and skills.
- b) The maximum credit that can be granted through recognition of credit, where no articulation agreement or programme regulations are in place, is normally:
- two-thirds (66%) of the credit value of the qualification being sought (where the credit was gained at another New Zealand tertiary institution, or where RPL or RCC is being used to recognise achievement); or
 - one-half (50%) of the credit value of the qualification being sought (where the credit was gained at an overseas tertiary institution), unless a formal articulation agreement is in place.

Variations to this may be considered on a case by case basis and approved by Academic Board.

4.0 Attendance, Student Conduct, Academic/Professional Requirements and Unsatisfactory Progress

4.1 Attendance

- a) The attendance/participation requirements for all courses will be set out in the programme/ course information provided to students at the start of their course. All students are expected to attend/participate at the commencement of their course unless they have been given permission to start later.
- b) Where attendance/participation is specified as a requirement as part of a student visa, or enrolment contract, students must provide notification of any absence from or non- participation in a course.

- c) Any student who does not meet the attendance/participation requirements of their course (including attending practicum or workplace experience) will be considered to be in breach of their enrolment contract and may be suspended or withdrawn from their course/programme.

4.2 Student Conduct

- a) All students must comply with the Toi Ohomai Student Code of Conduct and all New Zealand laws while on campus or engaged in any learning activity that is part of their programme of study. Students not complying with the Student Code of Conduct may be asked to leave their class or the premises and may be subject to the disciplinary procedures set out in the Student Code of Conduct.
- b) Students must not bring or consume alcohol or illicit drugs on any campus or workplace used for learning activities or during work experience.
- c) Toi Ohomai reserves the right to drug test students where there is reasonable cause or where it is considered there is a health and safety risk.
- d) Where a student is taking prescription drugs that may impair their performance in a practical task and any such impairment increases the risk of injury to themselves or others, the student must notify their tutor/lecturer that they are taking such medications.

4.3 Practical/Professional Requirements

- a) Any student who fails to meet the prerequisite requirements in preparation for professional, practical or work experience that is part of a course/ programme will not be allowed to engage in the professional, practical or work experience component and will not be awarded credits for that component. Such requirements may include completing an alcohol or drug test.
- b) If a student's performance or participation in any practical activity, professional practice or work experience is judged as unsatisfactory for whatever reason, the Programme Manager responsible for the programme may temporarily suspend that student's attendance in the practical activity, professional practice or work experience, until the Group Manager responsible for the programme examines the situation and recommends an appropriate course of action to resolve the unsatisfactory performance.
- c) Where a course has a component requiring a student to meet requirements set by a professional body prior to their participation, assessment of the student's 'fitness to practice' will be undertaken in compliance with those requirements. Students not meeting those requirements will not be allowed to proceed until those and any institutional requirements are met.

4.4 Satisfactory Progress

- a) Normally, a student who does not pass at least half of the course credits in which they were enrolled in any year will be considered to have made unsatisfactory academic progress.
- b) Any student who has made unsatisfactory academic progress will have their study and enrolment history reviewed, and may have their programme enrolment terminated.
- c) Any student who has been excluded or had their enrolment from a programme/course terminated and who wishes to re-enrol, must gain permission from the Group Manager responsible for the programme at least one month before the start of the semester.
- d) When applying for re-enrolment, the student will need to satisfy the Group Manager that, as a result of study or other activity in the intervening period, there is a reasonable chance of success in subsequent study.
- e) A student who enrolled in the same course on two occasions and has not passed, will not be enrolled again in that course except with the permission of the academic committee responsible for managing student matters.

5.0 Assessment Matters

5.1 General

- a) The nature of assessments and their due dates will be made available in the course information/timetable and given to students at the beginning of their course. Students are expected to comply with all assessment requirements and conditions.
- b) No changes to assessment requirements may be made during the course unless approved by the appropriate academic committee and notified in writing to all students.
- c) Students must reasonably attempt and/or submit all summative assessment items as required, in the requisite format/mode and within the timeframe, due date and/or at the place stipulated in the course information/timetable provided unless a valid extension has been granted.
- d) Students who anticipate having difficulty in submitting assessments by the due time and date, may request an extension providing this is received by the tutor at least one week prior to the assessment due date.
- e) Extensions for assessments that fall outside of the course end date can only be approved by the Executive Dean. Normally such extensions will be limited to no more than three months post the course end date.
- f) Permission to sit a test, practical assessment or examination at a time or place other than that designated must be obtained from the relevant Programme Manager at least two weeks prior to the

scheduled test/assessment/examination date. Such permission will be granted where an appropriate environment and adequate supervision can be arranged.

- g) Unless otherwise specified in programme regulations, students are entitled to have each piece of marked written work (or a copy thereof) returned within ten (10) working days of the final date for submission.
- h) Students will also be given access to information on the criteria used to allocate marks.
- i) Any non-returned assessments may be destroyed one year following the completion of the assessment unless an ITO or another body overseeing moderation of assessment requires these to be kept longer.
- j) Final course results will be provided to students within fifteen (15) days of the end date of the course.

5.2 Assessment in Te Reo Māori

- a) Students can request to have their summative assessments conducted in te reo Māori, except where the task is an assessment of English language capability.
- b) If a student wishes to take their assessments in te reo Māori, this must be communicated to the relevant Programme Manager within two weeks of the start of the course.
- c) Determination of a student's capability to undertake such assessment may be undertaken prior to the assessment task being provided and, where required, additional support may be made available.

5.3 Students with Special Needs in Assessment

- a) Students with special needs in assessment should contact the Equity Facilitator and/or a Learning Facilitator at least two weeks prior to the assessment date so that suitable arrangements can be made.

5.4 Conduct of Examinations

- a) Scheduled timeframes for examinations will be notified to students at the start of their semester and any changes, including final timetables, must be notified to students not less than four weeks before the examination is held.
- b) Examination papers may be released to students in advance of sitting the examination where appropriate.
- c) Written examinations will be invigilated by a person(s) approved by the relevant Programme Manager.

5.5 Re-submissions/Retakes of In-course Assessment Tasks

- a) Unless otherwise indicated in the programme regulations or unit standard assessment conditions:

- i. a student who has submitted and reasonably attempted all the requirements for a piece of in-course assessment and who has failed that assessment task (i.e. not yet competent or a grade between 30 and 49), will be allowed one resubmission of the assessment task;
 - ii. requests for re-submissions must be made to the relevant Programme Manager, no later than five working days after the assessment has been marked and returned to the student; and
 - iii. the maximum mark available for any resubmission of an assessment task shall be the minimum pass mark.
- b) Resits of final exams are considered to be reassessments (see 5.6 below).
- c) Where a student's performance in summative assessment has been affected by any circumstance or situation which could not have been reasonably prevented, including sickness or injury to the student or bereavement, the student may be given a reassessment opportunity. In such cases the mark given will be the true mark the student achieved for the assessment task.

5.6 Reassessment Opportunities

- a) Unless otherwise specified in the programme regulations, a student who gains a fail grade in a course with a mark of 45% or more will be provided with one opportunity to undertake a reassessment of the course on the recommendation of the relevant results approval committee. This reassessment will be developed to reflect the learning outcomes of the course and their respective weightings.
- b) The reassessment must be taken within one month of the end of the semester in which the student was enrolled, and must be an approved extension as in 5.1 e).
- c) A student passing the reassessment will gain the minimum grade available as a pass in the course.

5.7 Approval of Final Course and Programme Results

- a) Final results for a course and/or programme will be approved by the relevant results approval committee based on the student's achievements in the summative assessment tasks approved for the course and the overall achievement across all courses in a programme.
- b) Unless otherwise stated in the programme regulations and in accordance with clauses 5.1c) and 5.5a) i. above, students must have reasonably attempted and/or submitted all assessment components in a course to gain a final grade in a particular course.
- c) Final course marks containing fractions of a mark will be rounded to the nearest whole number prior to the final grade being determined. A 0.5 mark will be rounded up.
- d) Final grades awarded will be based on the final mark and will use the Grade Key(s) approved for the programme.
- e) Where allowed in programme regulations, a Restricted Pass may be awarded. Restricted passes may not be given for any professional practice or capstone course. A Restricted Pass in a course will not be

able to be used to meet prerequisite requirements where these are specified for another course in the student's programme.

- f) An Aegrotat Pass may be awarded for a course in cases of personal illness, injury, bereavement or other exceptional circumstances beyond a student's control whereby a student is unable to present work for, or sit an assessment, or a student is seriously impaired in their performance during an assessment, and the student's in-course results have shown they were likely to pass the course. Aegrotat passes cannot be given for in-course assessments or for work experience, major projects, competency courses, competency assessments, capstone courses or practicums.

5.8 Challenging Assessment Decisions

- a) A student who has reason to believe that the grade or mark for a particular assessment task is incorrect, should firstly discuss this with the tutor/lecturer responsible within five (5) working days of the return of the assessment. The lecturer will provide feedback to the student to clarify why the grade or mark has been awarded and may, if justified, amend the result.
- b) If the student still believes that the mark or grade is incorrect, they should apply to the Group Manager responsible for the programme for a reconsideration within ten (10) working days of the return of the assessment. Reconsideration will solely investigate the marking of an assessment and may include a remark.
- c) The Group Manager responsible for the programme will advise the student of the outcome of the reconsideration, with reasons, within ten (10) working days of receipt of the student's request or receipt of any independent opinion or reassessment result, whichever is later.
- d) A student may appeal the final grade awarded in any course by applying in writing to the Executive Dean within ten (10) working days of receiving their final result. The application should set out the grounds for appeal and include payment of any prescribed fee as set by Council. The Executive Dean will investigate the grounds for the appeal and establish an Appeals Committee to review the matter if required.
- e) Grounds for convening an Appeals Committee include:
 - i. availability of additional information that was not available to the relevant results approval committee approving the result; or
 - ii. possibility of material irregularity in the conduct of assessments in the course or in the procedures of the resulting process.
- f) If, in the opinion of the Executive Dean, the grounds for appeal have not been satisfied, the Executive Dean will notify the student within five (5) working days that the appeal will not be heard.

6.0 Graduation

- a) Approval for a student to graduate with either a New Zealand or Toi Ohomai qualification will be given by the Academic Board on the recommendation of the relevant results approval committee. The recommendation to graduate will be based on a student passing all courses in a programme and meeting any other requirements stipulated in the programme regulations. Students with outstanding debts will not be able to graduate.
- b) Approval for a student to be awarded a non-formal qualification will be given at the relevant results approval committee on evidence the student has successfully completed all requirements of the programme.

7.0 Academic or Other Misconduct

- a) Where any student is suspected of academic misconduct, or breach of the regulations, policies or Student Code of Conduct is identified, the Programme Manager will investigate the complaint and recommend a course of action to the Faculty Leader responsible for the programme.
- b) Before reaching a decision, the Faculty Leader responsible for the programme must:
 - i. Advise the student of the complaint and give him/her a reasonable time to respond;
 - ii. Undertake an appropriate investigation, which may include meeting with staff and students; and
 - iii. Consider all evidence provided.
- c) If an allegation of misconduct is proved, all or any of the following penalties may be applied by the Faculty Leader responsible for the programme:
 - i. The award of a fail grade or a nil mark for the affected summative assessment event;
 - ii. Disqualification of the student from sitting for any summative assessments for a period;
 - iii. Cancellation of credit if the student has been credited with a pass in the course in respect of which the allegation arose;
 - iv. Suspension from any course for a period;
 - v. Recommendation to the Executive Dean of the student's exclusion from the programme for a period;
 - vi. A reprimand;
 - vii. Record of the penalty imposed on the student's file for a specified time; and
 - viii. Recommendation to the Chief Executive for exclusion of the student from any programme within Toi Ohomai.

8.0 Concerns and Complaints

- a) Students who wish to express a concern or lodge a complaint about another student must first discuss the matter with their tutor/lecturer who will initiate an investigation and, where possible, resolve the issue. If unable to resolve the issue, the tutor/lecturer will refer the matter to the Complaints Officer.
- b) If a student has any other concern or wishes to lodge a complaint in relation to any other matter, the student should report the matter to the Complaints Officer who will initiate an investigation.
- c) The Complaints Officer will report to all parties involved with the results of their findings within twenty-eight (28) working days. The outcome of the investigation may include the initiation of a Disciplinary Committee hearing.
- d) If the student is not satisfied with the outcome, the student may appeal the decision, in writing, to the Chief Executive within ten (10) working days of receipt of the investigation outcome. The Chief Executive's decision will be final.
- e) At all times throughout this process, students have the right to involve a support person of their choice. It is the responsibility of the staff member involved to advise the student of this right.

Part Four – Student Code of Conduct

This Code of Conduct can be changed/amended with approval of the Academic Board at any time. The most current version will be available on the Institution’s website.

Purpose

This Code ensures that the rights and responsibilities of students at Toi Ohomai Institute of Technology are clearly articulated and transparent. The expectation set out in the Code specify the behaviours expected of students, when they are on campus or undertaking activities associated with their studies. Any breach of the behaviours set out in the Code will result in an investigation and, if a case is found, may trigger a disciplinary process as set out in the Academic Regulations.

Scope

This Code of Conduct applies to all students at Toi Ohomai while they are engaged in activities associated with their studies. This is regardless of where those activities are taking place including on and off-campus.

Expectations of Students

Students of Toi Ohomai, while engaged in activities related to their study, are expected to:

1. Respect the rights of other students and behave in a manner that does not interfere with other students’ wellbeing, learning and/or study activities.
2. At all times act in the best interest of any children, young people or vulnerable adults they may come in contact with on campus or when engaged in activities related to their study. This includes sharing information with staff of the Institution in any instance where there is suspected abuse of any child, young person or vulnerable adult.
3. Be respectful and considerate of all students, staff, employers and co-workers they engage with and, at all times, act in a manner which does not jeopardise their safety or the safety of others.
4. Show commitment to their studies, particularly:
 - meeting the requirements of a chosen programme of study, including attendance and participation;
 - arriving for class on time and engaging in class activities;
 - not using mobile phones or accessing social media for personal use during class time unless allowed by their teacher;
 - meeting deadlines for assignments; and
 - contributing to maintaining a safe learning environment.
5. Comply with all institutional rules, regulations and policies including:
 - complying with academic regulations (particularly those relating to enrolment, participation and assessment);
 - not smoking on campus or attending class activities (on or off-campus) under the influence of drugs or alcohol;
 - preventing bullying, harassment and discrimination;
 - use of student ID cards and email addresses;

- use of facilities, resources and equipment;
 - copyright and plagiarism; and
 - use of computers, internet and other ICT facilities.
6. Not engage in any form of academic misconduct (see below).
 7. Comply with rules relating to assessment, particularly in participating in examinations and tests (see below).
 8. Comply with health and safety practices, in particular:
 - complying with any instruction on safe use of equipment or other safety instruction(s);
 - wearing safety glasses, prescribed footwear and/or protective clothing in designated areas as required;
 - in the event of fire or other emergency, following the Institution's evacuation procedures;
 - providing relevant information on any personal disability(ies) that may endanger the student, other students or staff in any given situation;
 - reporting to a staff member accidents or incidents that have led to an accident or near accident and make themselves available where an investigation is required; and
 - being drug and alcohol free.
 9. Observe all New Zealand laws and local territorial authority bylaws.
 10. Carry out their work and/or study safely and be free from the influence of non-prescription drugs and/or alcohol or any other harmful substance. Behaviour believed to be caused by such substances is not acceptable. Where such behaviour is suspected, the Institution reserves the right to undertake an investigation including the search for drugs or alcohol on institutional property or undertaking alcohol/drug testing where there is a health and safety risk.
 11. Not wear or possess gang colours, patches, insignia and/or any other items considered to be gang affiliated.
 12. Not bring to class any other person, including a child, who is not enrolled in the programme without permission.
 13. Not bring on campus any animals other than guide dogs, except where animals are to be used in formal class activities. Any use of animals in teaching will be subject to supervision and regulation by the Animal Ethics Standing Committee.
 14. Drive carefully and considerately on campus. Drivers of vehicles must comply with driving speed restrictions and parking directions.
 15. Resolve concerns through appropriate channels.
 16. Respect institutional property, equipment and resources.
 17. Respect the property of all students and staff and comply with rules regarding the use of computers and internet access (see below).
 18. **Toi Ohomai has a zero tolerance policy to all forms of violence.**

Rights of Students

Students of Toi Ohomai can expect that the Institution's staff will:

1. Uphold students' mana and show respect, including demonstrating:
 - sensitivity towards difference in ethnicity, culture, age, gender, religion, sexual orientation, background and individual levels of ability; and
 - zero tolerance towards any form of harassment, discrimination, coercion, intimidation or violence by staff or other students.

- In the instance of Sikh Kirpan, this must be kept under clothing and not visible in public at all times.
2. Provide access to information through:
 - the Institution's website, e-Learning platform, Facebook page and other social media;
 - course outlines, timetables and programme handbooks;
 - the Institution's libraries and on-line library resources; and
 - access to personal records and official information pursuant to the Privacy Act 1993.
 3. Provide study and career advice and guidance including information on refund policies, course requirements and costs, prior to enrolment.
 4. Provide course information prior to commencing study including: learning outcomes, study commitments, assessment deadlines and weightings, timetables, textbooks, practical requirements and any other course requirements.
 5. Deliver competent and effective teaching, learning facilitation and class management.
 6. Ensure a reasonable workload and allocation of study time relating to any one course.
 7. To an extent that is reasonably practicable, provide:
 - an up-to-date and well-resourced learning environment;
 - a safe, clean, healthy and comfortable learning environment;
 - library facilities, information and communications technology, personnel and resources to help students to achieve the learning outcomes of their programmes of study; and
 - access to computers outside class hours.
 8. Provide fair, valid and reliable assessment tasks related to the learning outcomes for the course.
 9. Ensure return of assessment results and other constructive feedback in a timely manner.
 10. Deliver fair and honest decisions with regards to academic outcomes (i.e. assessment grades, accuracy of translations and/or reassessment opportunities).
 11. Provide access to members of staff at reasonable times to discuss issues relevant to their study.
 12. Maintain an effective model of student representation to ensure students have a say on matters that directly affect them including student input into teaching and course evaluation.
 13. Maintain an effective model of student advocacy.
14. Ensure effective access to the official complaints procedures of Toi Ohomai.

Academic Misconduct

Academic misconduct is seeking to gain for oneself, or assisting another person to gain, an academic advantage by deception or other unfair means. Academic misconduct includes any breach of any rules relating to summative assessment, including tests or examinations and any dishonest practice occurring in the preparation or submission of any work (whether in the course of an examination or not) which counts towards the attainment of a grade in any course or otherwise occurring in connection with any summative assessment.

A student is considered to have engaged in academic misconduct if they:

- a) Collaborate, share, or otherwise allow their work to be copied, in full or in part, by another for purposes of cheating.
- b) Copy, paraphrase or summarise another person's work or ideas from any source and represent it as their

- own work, without correctly acknowledging the original source (i.e. plagiarism).
- c) Copy from their own previously assessed work and present it as findings or discussion in a new assessment task.
 - d) Submit work that has been prepared for another paper/unit/module/assessment without permission or without self-referencing.
 - e) Falsify data, information or citations.
 - f) Falsely claim to have submitted an assessment or provides false information as to the reason for missing a deadline.
 - g) Wilfully act to prevent other students from completing their work.
 - h) Commit any other act or act of omission considered by Toi Ohomai to be academically dishonest.
 - i) Look at the work of another person or copy from another person during in an assessment.
 - j) Allow another person to look at their work or copy from them during an assessment.
 - k) Contract a third party to undertake their examination or other assessment.
 - l) Breach examination code of conduct.

Students are responsible for acquainting themselves with Toi Ohomai's expectations and standards related to the practice of academic integrity and with the requirements relating to the conduct of tests and examinations as set out in these regulations and any specific requirements relating to a particular programme or course.

Conduct in Examinations and Tests

During examinations or formal tests used for summative assessment, students must:

- a) Comply with all directions given by the examination supervisor and all instructions to students set out on the examination materials or displayed in the examination room.
- b) Not disturb, distract or adversely affect any other student.
- c) Not enter the examination room after more than 10% of the elapsed time set down for the commencement of the examination or test has elapsed, excluding reading time.
- d) Not communicate by word or otherwise with any other person except the examination supervisor or examiner.
- e) Not leave the examination room (and then only with the permission of the supervisor and upon handing in his or her script), until at least 25% of the examination period has elapsed or in the final 10% of the examination time period.
- f) Not begin any writing (answers or notes) during reading time or until the supervisor announces that they may do so.
- g) Not continue writing after the supervisor has announced the expiration of time. In no circumstances is any time over and above the time allotted to any paper to be allowed a student for reading over his/her scripts or making an amendment or addition to his/her scripts.
- h) Keep their student identification card or approved photographic ID displayed throughout the examination.
- i) Not bring into the examination room any electronic calculator, electronic device, smart device or dictionary except by explicit direction of the examiner. Where an examination has been designated

“calculator or dictionary permitted”:

- the device used in the examination must be electronic, truly portable and self-powered, noiseless and no audible alarms may be used;
 - no supplementary material related to the use and operation of the device will be permitted in the examination room other than spare batteries;
 - in all cases it is the responsibility of the student to maintain the operation and operating power of the device; and
 - where dictionaries are permitted they must not be marked in any way.
- j) Mobile/smart phones or devices will not be permitted unless specifically approved by the examiner. Where examiners allow mobile phones or smart devices as electronic calculators or dictionaries students must follow the rules for these devices and operate in “airplane mode”.
- k) Not bring to an examination any written or printed matter except by direction of the examiner. All paper used during the examination must be handed to the supervisor before the student leaves the examination room.
- l) Not use equipment, such as cameras, smart devices, electronic dictionaries, calculators, cell phones or other electronic devices in a test or examination unless given permission to do so.
- m) Not use e-mail, text, SMS or other electronic communication methods during a test or examination unless given permission to do so.

Conduct in Relation to Computers and ICT

The Institute operates a fair use policy for use of internet services required to support students learning needs. Where students use the service for non-institute related activities, i.e. gaming, movies, etc. the service can be restricted or removed. In using the Institution’s computers and internet access, students must not:

- a) Infringe copyright regulations, in terms of the Copyright Act (1994) and the Copyright (Infringing File Sharing) Amendment Act 2011, or use computing equipment in any way detrimental to the lawful and efficient utilisation of computing resources by the Polytechnic.
 - b) Attempt to gain access to the system without authority of the Administrator.
 - c) Allow access to the system to any other person without the prior approval of the Administrator.
 - d) Attempt to access, obtain, alter, add or erase any data to which they are not entitled.
 - e) Make, hold or modify copies of any software provided by the Institute, without the prior written consent of the administrator.
 - f) Attempt to access any other computer system, whether elsewhere in New Zealand or overseas, without the prior written consent of the administrator.
 - g) Use the system in such a way as to contravene any requirements for its use notified by the administrator. This includes but is not limited to, using the system for purposes other than those for which access was granted, wilfully impeding the operation of the system or any other user and avoidance of quotas or other restrictions on use.
 - h) Access, receive, process or send objectionable material⁴ using the internet or email services.
- Students using social media must abide by the relevant social media platform terms and conditions:

⁴ Definition of ‘Objectionable’ This term is used as set out in Section 3 of the Films, Videos and Publication Classification Act 1993 <http://www.dia.govt.nz/Censorship-Objectionable-and-Restricted-Material#1>

Facebook: <https://www.facebook.com/terms.php>

Twitter: <https://twitter.com/en/tos>

Flickr: <https://www.flickr.com/atos/pro/> and <https://www.flickr.com/help/guidelines/>

YouTube: <https://www.youtube.com/static?gl=US&template=terms>

Part Five – Staff Code of Conduct

This Code of Conduct can be changed/amended with approval of the Executive Leadership team at any time. The most current version will be available on the Institution’s intranet.

Purpose

This Code ensures that there is transparency regarding employer and employee expectations at Toi Ohomai Institute of Technology. Having an agreed Code of Conduct ensures that everyone is treated fairly, and that the interests of Toi Ohomai and its staff are protected.

Scope

The Code of Conduct applies to all staff (whether permanent, contract or fixed term).

Principles

Toi Ohomai regards honesty, integrity and discretion to be of overriding importance. The organisation expects all staff to:

- be honest in all matters;
- conduct themselves professionally and ethically at all times and be accountable for their behaviour;
- ensure the safety of students, particularly those who are under the age of 18 or who are classed as vulnerable adults;
- develop and maintain a high degree of competence in respect to their role, their interactions with others and their cultural awareness;
- be conscientious and efficient in carrying out their duties and in maintaining compliance with policies, procedures and expected standards;
- maintain strict confidentiality of students, customers and company affairs subject to legislative requirements for disclosure;
- act with integrity and in a manner befitting Toi Ohomai’s name and reputation and behave in a manner that upholds the organisations values;
- consider the impact of their behaviour on Toi Ohomai at all times, including online or in social media and outside of work;
- declare and manage any real or potential conflicts of interest;
- not use knowledge gained in the course of their duties for the benefit of themselves or their associates; and

- take all precautions to ensure their own safety and the safety of others in compliance with the Health and Safety at Work Act 2015.

The above expectations apply at all times both when in the office and when representing Toi Ohomai for example when attending internal and external events, when dealing with colleagues or external stakeholders and when liaising with students.

Most of the above is no more than any employer reasonably expects of its staff and indeed is part of good management. All line managers aim to provide clarity and direction for Toi Ohomai staff and to foster a supportive environment that enables all employees to behaviour their individual contribution.

The position of trust enjoyed by employees places extra responsibility upon all staff and Toi Ohomai will not tolerate actions that may compromise it in relation to its staff, students or external stakeholders. All staff should be aware of this and consider their actions in the light of this fact.

Toi Ohomai will not tolerate bullying or discrimination of any kind. This includes any form of racial or sexual harassment, or abuse of young or vulnerable students. In this regard it is very important that staff are sensitive to the possibility that some forms of behaviour or comments can give rise to offense.

Staff who breach any part of the Code of Conduct undermine or damage the trust and confidence inherent in the employment relationship, and may be subject to disciplinary action. Serious breaches could result in dismissal.

Part Six – Glossary of Terms

The table below contains terms and acronyms used in the Regulatory Framework and commonly used in the Institution's business.

AB	The Academic Board of Toi Ohomai established by Council pursuant to section 182 (2) of the Education Act 1989 and its amendments.
Admission	The process by which students enter into a programme of study. Students are first admitted into a programme and then enrolled in a semester course load that meets their study requirements.
ALNAT	Adult literacy and numeracy assessment tool
APMC	The Academic Programme Management Committee established by Academic Board. Responsible for programme development and approvals.
Applied technical and professional education	Is education integrating theory with practice and is designed to assist graduates into employment. This is also called vocational and professional education.
Award	The qualification issued for successful completion of a programme of study.
Capstone course	A course used to assess that all graduate outcomes for a programme are met.
Chief Executive CE	The person appointed by the Council to the office of Chief Executive of Toi Ohomai pursuant to section 180 (1) (a) of the Education Act 1989.
Concurrent programme	Where a student takes papers from two different education providers that are credited towards one recognised programme at one of the education providers.
Conjoint programme	Where a student studies towards two recognised programmes at the same time, at one education provider.
Credit	The value of the programme, course unit standard when counted towards a qualification. One credit is approximately equivalent to 10 student learning hours.
Cross credit	Academic credit given for a course that has been assessed as having being substantially equivalent outcomes to the course in the programme of study in which the student is enrolling.
CRT – Credit Recognition and Transfer	Recognition and transfer of learning already credentialed (cross credit) awarded at a course level, when the previous study is recognised as being substantially equivalent to the course in the programme of study in which the student is enrolling.
4Credit Transfer	Recognition of previous credits awarded where the student has completed the same course (or unit standard) in another qualification or institution.

Council	The governing body of Toi Ohomai established under section 165 of the Education Act 1989.
Course	A self-contained block of study for which credits are granted upon successful completion
Did not complete (DNC)	If the student has not attempted any assessments for the unit standard, course or unit.
Enrolment	The contract between a student and Toi Ohomai Institute of Technology to complete an agreed number of courses within a defined study period. Enrolment should normally be confirmed on a semester by semester basis.
EER	External Evaluation and Review.
EPI	Education performance indicators, namely course completion, qualification completion, retention and progression.
Exceptional circumstances	Circumstances beyond the control of the students which would not normally be anticipated. Examples include extended illness, bereavement, loss of job etc.
Exemption	An exemption in this instance is when a student is given the right to proceed in their qualification without having to complete a compulsory or pre-requisite paper or course. This is usually because they have passed an equivalent course or paper at another institution. An exemption could also be as a result of a successful recognition of prior learning application, or credit transfer.
GCA	Guaranteed Credit Agreement.
Graduand	A person who is eligible to graduate with an award from Toi Ohomai Institute of Technology.
Graduate	A person who has graduated with an award from Toi Ohomai Institute of Technology.
IELTS	International English Language Testing System.
INZ	Immigration New Zealand, the Ministry responsible for approving study visas for international students.
ITO	An Industry Training Organisation (ITO) is an industry-specific organisation, recognised under the Industry Training Act 1992. An ITO sets NZQA accredited skill standards for their specific industry, and runs industry training that helps learners achieve those standards through providers.

Investment Plan	Means the plan approved by the Tertiary Education Commission that describes Toi Ohomai's commitments to achieving Government priorities, our programme offerings and related activities and the proposed outcomes with relevant performance indicators, over a defined period.
LLN	Language Literacy and Numeracy.
LQSC	The Learning Quality and Standards Committee – the committee of AB that is responsible for maintaining academic standards.
Mark	The result awarded to a student in respect to an individual item of assessment. Marks contribute to the grade assigned at the end of a course.
Moderation	A process of ensuring an organisation's assessment activities are fair, valid, and consistent with the required standard across a number of assessors or assessing organisations
MoA	Memorandum of Agreement.
MoE	Ministry of Education.
MoU	Memorandum of Understanding.
No show	A term given to a student who has been admitted and enrolled in the programme but who does not turn up in the first 10% of the study period.
Not Assessed (NA)	Where the student has already achieved this on their NZQA Record of Achievement OR this is an elective unit standard within a Toi Ohomai course.
NZQA	New Zealand Qualifications Authority.
NZQF	New Zealand Qualifications Framework.
NZSCED	New Zealand Standard Classification of Education – a system used to classify subject areas aligned to industry or employment subject areas.
Parchment	The actual certificate presented to students on graduation.
PBRF	Performance Based Research Fund.
PGBOS	Postgraduate Board of Studies - the committee of AB that is responsible for maintaining postgraduate standards.
Programme	A self-contained block of study or training or a combination of courses with which a student is required to be credited in order to be awarded a specified qualification by Toi Ohomai.

Qualification	Either a certificate, diploma, degree, conjoint degree, graduate certificate, graduate diploma, postgraduate certificate or postgraduate diploma approved by Toi Ohomai or NZQA and awarded by Toi Ohomai or NZQA.
Quality Management System (QMS)	The system of defined organisational structures, processes, responsibilities and resources used to assure quality, as approved by the Academic Board.
RCC	Recognition of Current Competency is credit based on the assessment of a student's existing skills and knowledge against Toi Ohomai or nationally recognised standards. RCC usually applies to students who have been working in a particular organisation and/or industry sector but do not have formal qualifications recognising that experience. RCC is only applied at the Unit Standard level.
Reassessment	Repeating the assessment with a new version of the assessment format.
Resit	An opportunity for a student to sit the same test a second or subsequent time.
Restricted pass (R)	Awarded only where a student has narrowly failed a course, where the course result is inconsistent with the student's achievements in the other courses they have studied and where the result prevents them from graduating/progressing in their studies (refer to the determination and approval of final course grades). An R Pass does not qualify as a pass for pre-requisite or co-requisite purposes. The programme specifications should specify whether R grades can be credited towards a qualification and, if so, the maximum number permitted otherwise the Academic Regulations will apply.
Resubmission	The opportunity to hand in an assignment for a second (or subsequent) time having had the opportunity to add or amend it in response to feedback.
RPL - Recognition of Prior Learning	Recognition of learning that is not based on credit recognition of previous study, and which included skills and knowledge obtained through employment and life experience. This is normally applied to an assessment of student's work and life experience for academic credit.
SAC	Student Achievement Component funding. A unit of funding from the TEC.
Stakeholder	A person, group, or organisation who affects or can be affected by Toi Ohomai's actions and/or decisions.
Student	A person enrolled for one or more courses/programmes at Toi Ohomai.
TEC	Tertiary Education Commission.
TES	Tertiary Education Strategy.

Transcript	The official record of a student's results across their entire programme of study. This is awarded on graduation.
Unspecified Credit (UC)	Credit based on a student's previous study's learning outcomes which are not equivalent to a Toi Ohomai course, but the level and a credit value can be awarded as credit.
Validation	Is the process of checking that assessment marking is fair and that marks are accurately added
Vulnerable adult	An adult student with a disability.
Vulnerable student	A student under the age of 18 years or an adult student with a disability.
Withdrawn (W)	The result awarded to a student who formally withdraws from a course after the 10% point.
YG	Youth Guarantee.

Attachment One – Approved Grading Schemes and Grade Keys for Programmes Approved by Toi Ohomai Institute of Technology from 2017

1. The Programme Regulations for each programme shall specify the grading system to be applied to each course, and the course descriptor shall specify the criteria for awarding final marks and grades.
2. Transition arrangements to bring legacy programmes into alignment with the Grade Schemes and Grade Keys below will be defined in procedures.

GRADES FOR COURSE ASSESSMENTS

The following tables set out the results and grades that are used for assessments within a course.

a. Courses using Competency Based Assessment

Assessments using Ungraded Competency

In courses with ungraded competency-based assessment, results against an assessment (or unit standard) will be recorded as follows:

Assessment Result	Result	Definition
Achieved	A	The student has successfully passed the assessment.
Not achieved	N	The student has attempted the assessment and not passed.

Assessments using Graded Competency

In courses with graded competency-based assessment, results against an assessment (or achievement standard) will be recorded as follows:

Assessment Result	Result	Definition
Achieved	A	The student has successfully demonstrated competency in the assessment.

Achieved with Merit	M	The student has successfully demonstrated competency in the assessment with very good performance.
Achieved with Excellence	E	The student has successfully demonstrated competency in the assessment with outstanding performance.
Not achieved	N	The student has attempted the assessment and not passed.

Other Grades used to Record Results for Individual Assessments

Other assessment results that may be awarded for particular circumstances against assessments in competency based courses – these apply to both ungraded and graded competency:

Assessment Result	Grade	Definition
Credit transfer	CT	The student has completed the same assessment or unit standard in another qualification or institution. In the case of a unit standard credit will not be reported to NZQA.
Not assessed	NA	The student has not completed this assessment. NB: This result will apply where the assessment is an elective within the course, or where the assessment was required but the student has not attempted it.

b. Assignments/Assessment using Achievement Based Assessment

For each assessment in the course, a mark will be entered between 0-100.

COURSE RESULTS AND GRADES

The following tables set out the results and grades that are used for reporting final course achievements.

a. Competency Based Courses

Ungraded Competency

In courses with ungraded competency the following course grades will apply:

Course Result	Grade
Pass	P
No Pass	NP

Graded Competency

In courses with graded competency the following course grades will apply:

Course Result	Grade
Pass with Excellence	PE
Pass with Merit	PM
Pass	P
No Pass	NP

Other Grades

Other grades that may be awarded for particular circumstances in competency based courses – these apply to both ungraded and graded competency:

Course Result	Grade
Course credit awarded by Credit Transfer	CT
Course credit awarded by Cross Credit	CC

Course credit awarded by Recognition of Prior Learning	RPL
Course credit awarded by Recognition of Current Competency	RCC
Withdrawn	W

b. Courses using Achievement Based Assessment

In courses in which grades are allocated according to the level of achievement, the results will be awarded according to the following grading scheme.

Graded achievement (except where otherwise specified in Programme Regulations)

Course Marks	Grade	Outcome
90 - 100	A+	Pass
85 - 89	A	Pass
80 - 84	A-	Pass
75 - 79	B+	Pass
70 - 74	B	Pass
65 - 69	B-	Pass
60 - 64	C+	Pass
55 - 59	C	Pass
50 - 54	C-	Pass
40 - 49	D	No Pass
0 - 39	E	No Pass

c. Other Grades that may be Awarded for Particular Circumstances

Course Result	Grade
Aegrotat	Apply relevant grade as approved by results approval process
Restricted pass	RP
Course credit awarded by unspecified credit	UC
Course credit awarded by Credit Transfer	CT
Course credit awarded by Cross Credit	CC
Course credit awarded by Recognition of Prior Learning	RPL
Course credit awarded by Recognition of Current Competency	RCC
Not passed due to non-achievement of some set requirement	N
Withdrawn	W

Other programme specific grades may be defined in programme regulations approved by Academic Board.