



COURSE DISCONTINUATION AND TEACH-OUT POLICY AND PROCEDURES

Including provisions specific to higher degree by research courses

1. Purpose

- 1.1. In the event that a course is discontinued, the teach-out process is an essential safeguard for higher education students and research candidates at Lincoln Institute of Higher Education trading as (LIHE). Through the process in this Policy, LIHE upholds its responsibility to ensure students and candidates are not disadvantaged if a course is discontinued.
- 1.2 This Policy sets out the legal obligations of LIHE and the rights of students and candidates in the unlikely event that a course is discontinued, and details the procedures LIHE will implement to give effect to those rights and responsibilities.

2. Scope

- 2.1 This Policy applies to all students, research candidates and staff affected by the discontinuation of a higher education course at LIHE, and to all positions and bodies responsible for implementing this, Policy.
- 2.2 Sections 1 to 7 apply to all courses. Section 8 applies additionally to higher degree by research courses, including the Master of Information Technology (Research). Where a provision of Section 8 is inconsistent with a general provision, Section 8 prevails for research courses.

3. Principles — obligations and student rights

- 3.1 LIHE is committed to compliance with legislation and regulatory requirements when a course is discontinued and while a course is in teach-out mode.
- 3.2 As a higher education provider, LIHE will ensure students and candidates receive the highest quality teaching and treatment and are not disadvantaged, financially or academically, by the discontinuation of a course.
- 3.3 Students and candidates will be fully informed about course discontinuation, about what will occur during teach-out mode, and about their rights. The rights of students and candidates are:
 - Full access to timely and accurate information that may affect their decision to study or their study conditions; and
 - Equitable treatment, with all efforts made to ensure they are not disadvantaged financially or academically if a course is discontinued.
- 3.4 These rights and LIHE's responsibilities are enshrined in the legislative frameworks set out in Section 4.



4. Legislative and regulatory framework

4.1 The following instruments establish the requirements and safeguards in this Policy. Wording drawn from an Act is abbreviated for the purposes of this Policy; the complete instruments prevail.

4.1.1 Higher Education Support Act 2003 (Cth) (HESA)

HESA governs Commonwealth support for higher education. Where a provider ceases to provide a unit as a result of ceasing to provide the course of which the unit formed part, the provider must repay the person the student contribution amounts paid for the unit, and repay the Commonwealth any FEE-HELP assistance to which the person was entitled. A provider must not charge a student for a replacement unit within the meaning of the tuition assurance requirements.

4.1.2 Tuition Protection Service (TPS)

The TPS is an Australian Government initiative that assists domestic and international students who are unable to have their course fully delivered, by placing them in a replacement course or with another provider, or by refunding unspent tuition fees or re-crediting a loan for open units of study.

4.1.3 Education Services for Overseas Students Act 2000 (Cth) (ESOS Act) and the National Code 2018

The ESOS Act governs the delivery of education to overseas students. On provider default, LIHE must, in relation to each affected student, within the period required by the Act, either arrange a place in a suitable alternative course at LIHE's expense (satisfied only if the student accepts) or refund the unspent tuition fees. Where LIHE cannot meet its obligations, the TPS Director may place the student and a call may be made on the Overseas Students Tuition Fund. LIHE maintains the protected amount required under the Act.

4.1.4 Higher Education Standards Framework (Threshold Standards) 2021

The Threshold Standards are a legislative instrument under the TEQSA Act 2011. Standard 6.2.1i requires that there are credible business continuity plans and adequately resourced financial and tuition safeguards to mitigate disadvantage to students who are unable to progress in a course of study due to unexpected changes to the provider's operations, including where the provider is unable to provide a course of study, ceases to operate, loses professional accreditation for a course, or is otherwise unable to offer a course. Students must be fully informed of changes, and the accreditation status of all courses must be published.

For research courses, this Policy applies Standard 6.2.1i together with the research training standards (4.2.1 to 4.2.5) and the delivery-with-other-parties standards (5.4.1 and 5.4.2), so that continuity of supervision and research resources is assured.

5. Course discontinuation initiated by LIHE

5.1 The Academic Board may recommend the discontinuation of a course; the Corporate Governance Board holds final authority to discontinue a course, and that decision cannot be delegated.



5.2 On deciding to discontinue a course, LIHE will apply to TEQSA for accreditation for the teach-out period. The application will include course outcomes, transition and closure arrangements, articulation, resourcing, information and student support arrangements, and certification documentation. For a research course, the application will also address the matters in Section 8. If TEQSA grants teach-out accreditation, it will be for a maximum of two years.

5.3 Course discontinuation will be announced to all staff, students, candidates and stakeholders, and information on teach-out mode will be made publicly available. The Corporate Governance Board is responsible for implementing teach-out mode and may delegate associated duties to the Academic Board as appropriate.

6. Teach-out mode

6.1 Teach-out mode spans the period (maximum two years) required to ensure that all enrolled students and candidates are able either to complete their course or to transition to another suitable course. During teach-out mode:

- LIHE cannot enrol new students or candidates in the discontinued course;
- The course must remain compliant with the Threshold Standards;
- All information disseminated about the course must be accurate and up to date; and
- All students and candidates receive counselling to develop an individual study or research completion plan, to complete the course within the timeframe or transition to an equivalent course.

6.2 Students and candidates will receive an academic transcript of all studies undertaken at LIHE.

7. Discontinuation initiated by TEQSA, tuition assurance and communication

7.1 Where TEQSA discontinues a course (default), each affected student or candidate may accept a place in an equivalent course, with prepaid tuition fees transferring to replacement subjects, or receive a refund of prepaid tuition fees or re-crediting of a FEE-HELP balance for any subject they are unable to take. LIHE will ensure each affected student or candidate takes one of these options within the period required by the applicable Act.

7.2 LIHE maintains tuition assurance protection through the TPS for international students and domestic FEE-HELP students, and allocates sufficient funds to support any non-FEE-HELP domestic students. A statement of tuition assurance is published on the website at all times.

7.3 In the case of discontinuation, the Course Coordinator (or, for a research course, the Dean (Research)) identifies affected students, candidates and staff and gives them written notification of the reasons for discontinuation, an explanation of teach-out mode, their rights, and the alternative courses available at LIHE or another provider. Written notification is given of any changes during the teach-out period.



8. Additional provisions for higher degree by research courses

8.1 This Section applies to the discontinuation of a higher degree by research course. It exists because the completion of a research candidature depends on continuing access to qualified supervision and to research facilities, data and resources — matters not addressed by the financial and tuition safeguards that suffice for coursework. This Section gives effect to Standard 6.2.1i as it applies to research courses, read with Standards 4.2.1–4.2.5 and 5.4.1–5.4.2.

8.2 Continuity of supervision

8.2.1 On a decision to discontinue a research course, the Dean (Research) prepares, for each candidate, a supervision continuity plan that identifies the candidate's Principal and Associate Supervisors and confirms how qualified supervision will be maintained until the candidate completes or transfers.

8.2.2 LIHE will retain, or secure by agreement, sufficient accredited supervisors (listed on the Register of Approved Supervisors) to supervise each continuing candidate to completion. Where a supervisor departs during teach-out, the Dean (Research) appoints a replacement of equivalent expertise before the candidate is affected, drawing where necessary on the transition provider under Section 9 or on an external co-supervisor accredited under the Supervisor Accreditation Policy.

8.2.3 A candidate will not be left without a Principal Supervisor at any time during teach-out. Where continuity of appropriately qualified supervision within LIHE cannot be assured for a candidate, LIHE will offer that candidate transfer to the transition provider under Section 9.

8.3 Access to research facilities, data and resources

8.3.1 The supervision continuity plan also confirms continuing access, for the duration of the candidate's completion plan, to the research facilities, computing resources, software, laboratories, datasets and library resources required to complete the thesis.

8.3.2 Where LIHE cannot maintain access to a facility or resource necessary for a candidate's project, it will secure equivalent access through the transition provider or another arrangement, at LIHE's expense, or offer the candidate transfer under Section 9.

8.3.3 Research data held by LIHE and required by the candidate will be preserved, and access maintained, in accordance with the Data and Records Integrity Policy and Procedures, so that a discontinuation does not cause loss of data needed to complete or validate the research.

8.4 The thesis, ethics approvals and intellectual property

8.4.1 A candidate's ownership of the intellectual property in their thesis, data, software and materials is unaffected by discontinuation, consistent with the Intellectual Property Policy and Procedures and the Candidate IP Deed.

8.4.2 Ethics approvals held for a candidate's project will be maintained during teach-out, or transferred to the transition provider's Human Research Ethics Committee where the candidature transfers, so that research may lawfully continue without interruption.



- 8.4.3 A candidate at or near examination will, wherever practicable, be supported to complete examination at LIHE under the existing examination arrangements before any transfer, to avoid disruption to a substantially complete thesis.

8.5 Transfer of candidature

- 8.5.1 Where a candidate is to transfer to another provider, LIHE will, in consultation with the candidate and the transition provider:

- Seek recognition by the transition provider of the candidate's completed milestones, confirmed candidature and work to date, so that the candidate does not repeat completed work;
- Transfer, with the candidate's consent, the thesis, data, supervisory records, ethics approvals and progress records needed to continue;
- Meet any reasonable difference in fees for the equivalent research course at LIHE's expense for the remainder of the candidature, consistent with the tuition safeguards in this Policy; and
- Ensure the candidate is offered continuing supervision of equivalent quality by the transition provider.

- 8.5.2 A candidate retains the right to choose a refund or re-credit instead of transfer, and to seek review under the Student Complaints and Appeals Policy and externally through the National Student Ombudsman.

8.6 Research-specific communication

- 8.6.1 Written notification to a research candidate under clause 7.3 additionally explains the supervision continuity plan, the arrangements for facilities, data and ethics, the transfer options, and the name of the transition provider.

9. Teach-out and transition agreements with another provider

- 9.1 To mitigate disadvantage to students and candidates if LIHE is unable to complete the delivery of a course, LIHE maintains a standing teach-out and transition arrangement with at least one other registered higher education provider offering a cognate course, recorded in a written agreement.
- 9.2 For the Master of Information Technology (Research), LIHE will enter a teach-out and transition agreement with a registered provider that offers a cognate higher degree by research in information technology or a related field, and that has the supervisory capacity and research facilities to receive transferring candidates. A draft of that agreement is at Appendix A.
- 9.3 The agreement provides for the receiving provider to accept enrolment of affected students and candidates, to recognise completed study and milestones, to provide continuing supervision and research resources for candidates, and to honour the fee protections in this Policy. The agreement is reviewed at least every three years and on any material change to either provider's registration.



9.4 Until a counter-signed agreement is in place, LIHE relies on the Tuition Protection Service and the TPS placement mechanism as the safeguard of last resort, and treats the execution of the agreement at Appendix A as a priority action recorded in its business continuity planning.

10. Implementation, monitoring and compliance

10.1 The decision to discontinue a course initiated by LIHE lies with the Corporate Governance Board and cannot be delegated. The CEO and the Academic Dean (and, for a research course, the Dean (Research)) have overall responsibility for the proper implementation of the teach-out.

10.2 The Corporate Governance Board monitors implementation by reviewing reports from the bodies to which it delegates authority, and by monitoring student and candidate grievances, complaints, appeals and staff concerns. For a research course, the Research Committee reports to the Academic Board on the continuity of supervision and research resources for each affected candidate.

10.3 All staff, students and candidates must comply with this Policy and related policies. Non-compliance may result in disciplinary action or withdrawal of rights.

11. Definitions

Term	Meaning
Academic Board	The governing body responsible for academic matters, including course approval, academic policy and oversight of student grievances and appeals.
Academic transcript	The certified record of a student's enrolment at LIHE, including all subjects attempted and results attained.
Candidate	A student enrolled in a higher degree by research course at LIHE.
Corporate Governance Board	The governing body responsible for oversight of all higher education operations, including the ongoing viability of LIHE and the quality of its delivery, which holds final authority to discontinue a course.
Supervision continuity plan	A plan prepared under clause 8.2 for each research candidate on discontinuation, confirming how qualified supervision and research resources will be maintained until completion or transfer.
Teach-out mode	The period (maximum two years) following a decision to discontinue a course, during which enrolled students and candidates complete the course or transition to another suitable course.
Transition provider	A registered higher education provider with which LIHE has a teach-out and transition agreement to receive affected students and candidates.
TPS	The Tuition Protection Service established under the ESOS legislative framework.



LINCOLN INSTITUTE OF HIGHER EDUCATION

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