

Professional Legal Studies Course

Course Manual

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1. What this Manual covers

1.1 Contents

This Course Manual covers:

- the policies, procedures and general information
- the Professional Legal Studies Course General Rules, and
- the Professional Legal Studies Course Assessment Rules,

applying to the operation of the Professional Legal Studies Course.

1.2 Definitions and interpretation

- 1.2.1 The Course Manual is referred to as “the Manual”. The Manual must be read as a whole.
- 1.2.2 College of Law New Zealand Limited is referred to as “the College”.
- 1.2.3 The Professional Legal Studies Course is the course conducted by the College and is referred to in the Manual and the Rules as “the course” or “the PLSC”.
- 1.2.4 Where the context permits, the College includes the management and staff of the College and any other persons authorised by the College to participate in conducting the course, including persons from organisations providing facilities for the course.
- 1.2.5 The Executive Management Team is a committee of the College. It comprises the Chief Executive Officer, the Chief Academic Officer (New Zealand) (NZ), the Client Services Manager, and other College staff appointed from time to time.
- 1.2.6 The Chief Academic Officer (NZ) is the principal academic officer of the course. The Chief Academic Officer (NZ) is responsible for overseeing the delivery and assessment policies of the PLSC. The Chief Academic Officer (NZ) is responsible to the Chief Executive, who is responsible to the Board for implementing the decisions of the Board.
- 1.2.7 Instructor includes full-time and part-time adjunct instructors appointed by the College to teach in the course.
- 1.2.8 The Professional Legal Studies Course Assessment Rules are the Professional Legal Studies Course Regulations 2004 (consolidated 1 November 2006) (the Regulations) of the New Zealand Council of Legal Education (NZCLE) and are referred to as the “Assessment Rules”. Any reference to the Rules includes a reference to the Assessment Rules.

1.2.9 The Professional Legal Studies Course General Rules are referred as the “General Rules”. Any reference to “the Rules” includes a reference to the General Rules.

1.2.10 Any officers, committees or boards of the College authorised or required under the Rules to exercise any authority, duty or responsibility may nominate another officer or committee to exercise that authority, duty or responsibility.

2. The Professional Legal Studies Course

2.1 Admission to the course

Any person who has graduated in law or has fulfilled all requirements entitling them to graduate in law from a New Zealand university is entitled to be admitted to the course.

An overseas law graduate or practitioner may also be admitted to the course where the NZCLE requires them to complete the course.

2.2 Course aims

The course aims are prescribed by Regulation 1 of the Professional Legal Studies Course and Assessment Standards Regulations 2002. The aims are to:

- (a) bridge the gap between your academic study of law and its practice
- (b) prepare you for supervised practice
- (c) provide you with skills which, when developed through practice, will equip you to reach the level of professional competence required to represent a client without supervision
- (d) help you to develop a sense of the professional role and responsibilities required of a lawyer as a practitioner and an officer of the court
- (e) prepare you for legal practice in a culturally diverse society and raise in you the awareness of the need to be sensitive to cultural and gender issues, and
- (f) provide a foundation for your lifelong learning of the practice of law and to encourage you to take responsibility for your on-going professional development.

2.3 Course objectives

The course is designed to enable you to develop competency in:

- (a) professional skills, and
- (b) matters of professional conduct

to the level expected of a barrister and solicitor on admission.

The course objectives are that at the end of the course you will be able to demonstrate the following abilities.

- (a) Acquire skills in:

- fact investigation and analysis:
 - to analyse a mixed mass of fact and law, and
 - use that analysis to inform client advice and take prepare materials for presentation in court and elsewhere
- advocacy:
 - structure a court case, and
 - present a case orally in court
- interviewing and advising clients:
 - to conduct a legal interview to identify a client's problems and gather relevant information
 - to undertake thorough investigation of factual and legal issues, and
 - to advise, and report to, the client and assist the client to reach decisions
- negotiation and mediation:
 - to resolve legal disputes by agreement between the parties and by using a third party as a facilitator
- office and personal management:
 - to use office management systems
 - to recognise and appropriately deal with personal issues such as time and stress management, and
 - to understand the principles of handling client money
- problem solving:
 - to analyse and evaluate client options in order to determine the legal rights and obligations of parties and for the resolution of problems
- writing and drafting:
 - to draft letters and documents in clear and precise language, and
 - apply skills and demonstrate knowledge of the procedures relating to the core practice areas and your chosen elective practice area (see 2.4 below), and
- practical legal research
 - to look for a clear and comprehensive understanding of the legal framework relevant to an issue.

(b) Identify and explain matters of professional conduct, including:

- the structure, role and responsibilities of the profession
- the legal and ethical rules and obligations governing lawyers in the practice of law, and
- the resources available to new practitioners to assist in resolving professional responsibility issues.

2.4 Course subjects

The course comprises the following subjects.

Core Practice Areas

Civil Litigation

Commercial Practice

Property Practice

Elective Practice Areas

In-house Practice
Criminal Practice
Corporate Practice
Family Practice

Professional Areas

Lawyers' Skills
Interviewing and Advising
Negotiation and Mediation
Advocacy

The Core Practice Areas and Professional Areas are compulsory across all courses. However, you can choose your Elective Practice Area based on your professional interest.

2.5 Course structure

The course is a blend of online distance education and onsite workshop sessions. Information about the different types of courses and course modules can be found on the College website at www.collaw.ac.nz/learnwithus.

2.6 Knowledge of the law

The College assumes that you have, or can acquire, knowledge of the fundamental substantive law in the core subjects and in your chosen elective subject.

No allowance will be made in assignments for inadequate performance on the basis that you did not study the relevant substantive law at law school.

3. Course participation

3.1 College response times

The College sets target turnaround times for the return of feedback and marked work to students. College instructors and staff have the following response time targets:

- *Enquiries* – phone or email reply within 1 working day.
- *Feedback exercises* – uploaded to Canvas within 3 working days of the due date.
- *Assessment Portfolios* – final Portfolio and overall skill assessment results will be available no later than 3 weeks following your course end date.

3.2 Rules

The College's requirements in regard to participation are set out in the Assessment Rules, which can be found on Canvas in the Lawyers' Skills subject course. The following paragraphs on course attendance and participation must be read subject to the Assessment Rules.

You must fully and actively participate in the course. Your participation may not satisfy the College's requirements, if you:

- are absent from any onsite sessions
- arrive late or depart early at onsite sessions
- do not take part in group discussions or other exercises at onsite sessions or as required
- do not complete, in the time required, activities (onsite or online), where these are required to be submitted for feedback or as part of your Portfolio for assessment or performance assessment.
- do not access online learning resources or undertake exercises even though they are not required to be submitted to your instructor – not doing so may be taken into consideration if it becomes necessary to determine your participation, or
- do not demonstrate your best efforts in participating in the course.

The consequences of not satisfying the participation requirements are fully set out in the Assessment Rules. If you do not have an adequate reason for non-participation, the consequences may include you being withdrawn from the relevant assessment: Reg 4(3).

Computer failure or difficulties will not normally be accepted as an adequate reason for non-participation unless you have logged your issue with the College's technical support team and applied for an extension from your instructor on this basis. It is your responsibility to notify the College's technical support promptly of any technical problems (in relation to the College system), or to have the problem rectified promptly by yourself (in any other case).

If for any reason, such as illness or a medical or dental appointment, you will be absent from a programmed onsite session you must notify your instructor before the session begins. You must also inform the Chief Academic Officer (NZ) in writing giving reasons for your absence, including proof (for example, a medical certificate if the absence is due to illness). You may need to transfer your onsite to another intake to complete this component as a result.

If you cannot complete your online work within the timetabled requirements you must notify your instructor in writing (with a copy to the Chief Academic Officer (NZ)), before the work is due to be submitted, giving reasons for your inability to complete your work within the required timeframe.

The Chief Academic Officer (NZ) will consider these notifications in determining whether you have an adequate reason for an extension to meet these outstanding requirements.

Note: The Regulations stipulate that work commitments may not be accepted as an adequate reason for non-participation.

Note that the technology platform which delivers the online programme also enables the College, for the purposes of determining participation, to track your progress through the various online components.

3.3 Course onsites

Details of your onsite dates are programmed in your course calendar.

Activities during the onsite workshops include conduct of matters (court appearances), role plays, substantial interaction with other students, group discussions, individual discussions with instructors, and other activities. Your attendance and active participation is mandatory.

3.4 Keeping up to date

You need to plan your coursework and coordinate it with your other commitments.

You should not underestimate the demands that the course will make on your time. You cannot undertake any work or other commitments during the full-time onsite workshops. The College will not alter rosters or change timetables in order to suit individual commitments.

For standard courses you will need to devote approximately **27** hours per week to your course work during the online phases of the course. For full time courses, you will need to devote **37** hours each working week.

Online access to all course content and your course timetable will be available to you through Canvas when you start the course. As the course progresses there may be additions and revisions to content and the timetable. Please keep this in mind, particularly if you are working ahead. You will be notified through Canvas of any substantial change that will affect you. Check with your instructor if you are in any doubt about these matters.

In addition to satisfying participation requirements, you will find that your work with the non-assessable learning resources and practice experiences in the PLSC will assist you substantially in preparing you for the course assignments. Assignments may be based on the contents of these online learning resources and practice experiences.

4. Assessments

4.1 The Assessment Rules

The Assessment Rules are the Regulations promulgated by the NZCLE. These are on the College website under [PLSC Course Regulations](#).

Information about skills assessments can also be found in the Lawyers' Skills subject course. In addition, each individual subject has specific assessment information in the Assignments tab of the particular subject.

The following paragraphs and the above documents on assessment must be read subject to the Assessment Rules.

4.2 Disability and disadvantage

If you require special consideration because you suffer from a disability or impairment which might cause you difficulties in undertaking course work either as part of the online or onsite phases of the course, you must apply in writing to the Client Services Manager (who is also responsible for the management of all students with a disability or impairment). Any pre-existing disability or impairment should have been communicated to the Client Services Manager upon enrolment/commencement of the course. However any other special consideration should be communicated to the Client Services Manager at least 14 days prior to the assignment and/or assessment.

You should include a medical certificate and/or other relevant evidence in your application.

The Client Services Manager will advise you of the provision of any special consideration or facilities if they are deemed necessary.

4.3 Timetable

Submissions of online Module activities and assessment Portfolio will be due on the dates and at the times shown in the course calendar.

For subjects taught in workshops, the College or your instructor will allocate the times of your individual performance assessments, where appropriate.

The College may alter the timetable and may reschedule assessments for any reason during the course and will notify you of such changes.

In terms of the PLSC Regulations, unless granted a formal deferment, you will be graded Not Yet Competent for any assessment where you:

- fail to submit an online Portfolio Assessment by its due date, or
- fail to attend or undertake a performance assessment at the scheduled time, or
- arrive late for a scheduled performance assessment.

4.4 Assessment centres

Unless you are undertaking a 100% online version of the course, performance assessments will be held at designated venues in Auckland, Christchurch, Dunedin, Hamilton and Wellington. You can apply to attend at any centre you wish, but you must advise us at least four weeks prior to the onsite if it is different to the onsite venue specified in your application form. This will be subject to there being available space for you to attend that onsite, on a first in first served basis.

The College will consider conducting assessments at other places, including other colleges in the College of Law Group. However, there will be an additional charge to cover costs.

4.5 Illness or misadventure during performance assessment

If you attempt a performance assessment (for one of the skills taught in workshops), but

claim that your performance was prejudiced by circumstances beyond your control on the day of the assessment, then as provided in the Assessment Rules:

- Where you commenced but did not complete the assessment, you may apply for a deferred assessment by submitting your written application supported by evidence to the Chief Academic Officer (NZ) no later than seven days after the date of the assessment. The Chief Academic Officer (NZ) may not alter the assessment result, but may permit you to attempt another assessment at a later date.
- You may appeal to the Assessment Review Committee within 21 days of receiving your grade.
- However if you are unwell prior to your assessment, and you elect to proceed with it despite these circumstances, you will be graded on the merits of your performance in that assessment.

You will need to submit a medical certificate and/or other relevant supporting evidence.

Note: The outcomes of a successful appeal include being permitted to undertake the assessment again.

4.6 Absence from a performance assessment

Ordinarily non-attendance for a performance assessment at an appointed time will result in a Not Yet Competent grade. If through circumstances beyond your control you are unable to attend an assessment, you should apply to the Chief Academic Officer (NZ) in writing for a deferment via extensions@collaw.ac.nz, no later than seven days after the date of the assessment. You will need to submit a medical certificate and/or other relevant supporting evidence. The Chief Academic Officer (NZ) will consider your application and if granted may permit you to attempt another assessment at a later date.

4.7 Lateness in submitting a Portfolio Assessment

The Assessment Rules (Regulation 7) do not permit an online Portfolio Assessment that has been submitted after the due date to be marked unless granted a formal deferment. In these circumstances, you must apply to the Chief Academic Officer (NZ) in writing no later than seven days after the date of the assessment. You will need to submit a medical certificate and/or other relevant supporting evidence. The Chief Academic Officer (NZ) will consider your application and if granted may then permit your Portfolio Assessment to be accepted for marking. If not, the skills for that Portfolio of assessment work will be considered Not Yet Competent.

4.8 Medical certificates

Medical certificates must specify the severity and duration of the complaint and its effect on your ability to undertake the assessment. A receipt for medical or hospital fees will not be accepted instead of a medical certificate.

4.9 Consequences of being graded Not Yet Competent (NYC)

The Assessment Rules prescribe the rules relating to supplementary and further skills

assessments. Generally, these will be offered in a concurrent or subsequent course, but can be held at other times upon payment of the relevant fee.

Workshop Performance Assessments

If you are graded NYC for one of your Workshop Performance Assessments, you will be given an opportunity to undertake a 'supplementary assessment'. This will take the form of another performance assessment.

If you are graded NYC in your supplementary assessment, you may apply to the Chief Academic Officer (NZ) to complete a 'further skills assessment'. This application must be made in writing within 21 days of the end of your course.

Supplementary and further skills assessments for Workshop Performance Assessments are held at onsite venues, unless you are taking part in a 100% online version of the course.

If, having done any permitted supplementary or further skills assessments, you retain an NYC grade in an workshop performance assessment, you may at the discretion of the Chief Academic Officer (NZ) enrol in a subsequent course, pay the appropriate fees and undertake the entire course again.

Please refer to Section 10, Fees and Charges for the fees for supplementary assessments and further skills assessments.

Online Portfolio Assessments

Over the duration of the PLSC course, you will submit an online Portfolio of work for assessment, in four Practice Areas (four Online Portfolio Assessments in total). In each Online Portfolio Assessment, you will be graded on your competence in each of the following skills (called "the online skills"):

- Fact investigation and analysis
- Practical legal research
- Problem solving
- Office and personal management
- Professional conduct, and
- Writing and drafting.

You will receive a progress indication after each Online Portfolio Assessment. However, it is only once you have completed all four Online Portfolio Assessments that your final grade for each of the online skills is determined.

If your final grade for any of the online skills is Not Yet Competent (NYC) after you have completed all four Online Portfolio Assessments, you will need to undertake a supplementary assessment.

The supplementary assessment process is outlined in the Lawyers' Skills subject on Canvas. You will be required to undertake a supplementary assessment in respect of each

online skill that you have received an NYC grade in.

There are two categories of supplementary assessments:

- The standard supplementary assessment process – whereby you will be reassessed in respect to each single skill that you have received an NYC grade for; and
- The Pathway B supplementary assessment process – if you have not achieved 18 points out of a total of 48 possible points across the four Online Portfolio Assessments, Pathway B supplementary assessment will be invoked.

The “Pathway B” supplementary assessment process involves further participatory work in one or more Online Portfolio Assessments to ensure a level of participation and understanding in the PLSC course.

If you do not achieve competency in all online skills as a result of the supplementary assessment process, you may apply to undertake a further skills assessment in a skill or skills. This application must be made to the Chief Academic Officer (NZ) in writing.

If, having done any permitted supplementary or further assessments, you remain with an NYC grade in any online skill(s), you may enrol in a subsequent course, pay the appropriate fees and undertake the entire course again.

Please refer to Section 10, Fees and Charges for the fees for supplementary assessments and further assessments.

4.10 Return of assessment work

We return (via Canvas) Online Portfolio Assessments that are submitted through Canvas, along with assessment grades and any associated marking forms. We do this after all the assessments in your group are finalised.

Where performance assessments are recorded, we do not return the recording. However, if you receive an NYC grade, we send the assessor’s feedback and marking sheet to you.

Students who receive an NYC grade in any skill can get further feedback from the marker before undertaking a supplementary assessment.

The Assessment Rules do not permit re-marking or re-grading of assessed work, including performance assessment, other than through the appeals processes, as outlined in the Assessment Rules.

4.11 Copied work

Work submitted for assessment must be your own individual work. The Assessment Rules prohibit the submission of copied work (as defined) or work that is the result of a “group effort”. Discussion with another student about an assessment while it is in progress is also strictly prohibited.

Copied work is widely defined in the Assessment Rules as including:

- (a) work taken from any law firm's precedents, and
- (b) work taken from, or the substance of which is in whole or in part identical to work of, any other trainee, former trainee, or other person –

but does not include work taken from a published precedent which is available in hard copy or electronic form.

Work submitted in breach of the Rules is automatically graded NYC. In addition, work submitted in breach of the Rules may be disclosed to the New Zealand Law Society as part of the Certificate of Character process.

Confidentiality of assessment information: Work that is received by a student, on a confidential basis from their instructor, should not be disclosed. A student should also not receive information on that basis.

4.12 Assessment results and completion certificates

Assessment results are subject to an independent moderation process, which is designed to ensure fairness and consistency in marking. All College moderators are experienced practitioners who are external to the College.

Your results will be accessible via the "Grades" tab on your Canvas Dashboard.

The College will email your course completion certificate to the last known contact email address provided within 3 weeks of the course end date, unless you have achieved NYC grades.

It should be noted that while the NZCLE permits the College to email you an electronic copy of your completion certificate, for the purposes of your Completion Certificate application with the NZCLE you are required to print a hard copy of that certificate and include this in the completion certificate application.

If you need your course completion certificate earlier than three weeks after the course end date, you can request priority (refer to Section 10, Fees and Charges). A priority request will ensure that your marking will take priority over other students and enable your course completion certificate to be issued within 5 working days of you completing all the course requirements. You must make a request for priority marking to our Client Services team at least 14 days prior to your course end date.

The College may withhold your course completion certificate if you owe money to the College or have failed to return any College property.

5. Transfers and withdrawals

5.1 Credit Transfer and Recognition of Prior Learning

The NZCLE is the only body with authority to grant exemptions from the PLSC. You should apply to the Council with any request for Recognition of Prior Learning.

5.2 Transfer between courses

If you apply to transfer to another PLSC course, the College will approve that transfer if there is a place available in the course to which you wish to transfer. Transfer fees may apply (refer Section 10, Fees and Charges).

Prior recognition of course work done on the course from which you are transferring may be possible in limited circumstances. You should discuss this with our Client Services team before making an application.

5.3 Fees on transfer between courses and modules

You may transfer your enrolment to another course, without any further fee, up to 14 days after the commencement date of the course. Any transfer made after that date will incur a transfer fee.

A transfer fee is also payable if you transfer part of your course to another course (for example one of your workshops).

Refer to Fees and Charges.

5.4 Withdrawal

If you wish to withdraw from the PLSC, you must immediately notify the Chief Academic Officer (NZ) in writing stating the circumstances.

5.5 Fees refunds on withdrawal

If you withdraw 14 days or more before the course commencement date, you will receive a full refund of the course fee.

If you withdraw within 7 days or less after the course commencement date, you will receive a refund of the course fee, less 10%.

If you withdraw more than 7 days after the course commencement date, you will not be entitled to any refund. Any refund will be at the College's discretion and will depend on individual circumstances.

5.6 Outstanding for Completion

Part of our reporting to the Ministry of Education requires us to disclose any students who have passed their course end date without completing the course. Students are only allowed a certain period of time where they can be incomplete before the Ministry of Education requires us to withdraw the student and they must start the course again.

5.7 Re-admission to the College

If you:

- withdraw from the course
- abandon the course
- have been excluded from the course, or
- had your enrolment terminated while on the course

and you wish to be re-admitted, whether in the same or a different course, you must apply and be selected for admission in the same way as persons who have not previously been students of the College. You must pay all fees for the course for which you seek admission.

5.8 Subject credit on transfer or withdrawal

The Regulations (the Assessment Rules) prescribed by the NZCLE do not permit the transfer of credits from course to course.

6. Computer access to the course

6.1 Your computer

You will need to have access to a computer that has broadband access to the Internet, and you will need an email address. You will also need to ensure that your computer's hardware and software meet the recommended minimum specifications for accessing Canvas as specified in the PLSC Handbook and on the College website.

6.2 Bringing your computer and other personal property to onsites

You are not required to bring a computer to the onsite workshops, but you may find it useful. If you do bring a computer to the onsite you are responsible for its security, along with any other personal property you bring to onsites.

6.3 Internet and email access

You will need to access the internet to complete your work in the online phases. For this, you will need your own Internet Service Provider (ISP). If you have difficulties in finding or obtaining an ISP, please contact the College.

You are responsible for any charges levied by the ISP for the provision of the data connection.

We emphasise that a reliable data connection is a prerequisite for successful completion of the PLSC. While the College will help you sort out technical problems, you must understand that the quality of your connection can affect data exchange. The College is unable to accept any responsibility if reliable data connections from a particular location cannot be established and maintained.

You must have an email address for use by College staff. The email address you provided at enrolment will be used for course-related purposes. You can verify your email address in Canvas for the purposes of receiving notifications of Portal or other communications within Canvas. You will be able to communicate with other students in your intake using the Canvas communications tool.

The College will give you access to a range of online legal publishing services and resources. Note that access to online libraries is provided to you solely for the purposes of the course. If you access the libraries through your firm's computer system you must only use the library service for course purposes. For firm or client work you must use your firm's online library resources.

You will be able to access Canvas for your course for six months after it commences. Note that the content of your course website will not be revised or updated after its conclusion.

For more information on the technical requirements, please refer to the Learning Portal User Guide.

6.4 Printing

There are nearly 3,000 pages (in screens or uploaded documents) in Canvas. You should therefore use your discretion as to which materials to print. It is not necessary to print these materials (for example, online tutorials) for the purpose of the course. However, you might like to save copies of useful or frequently-referred to documents to your hard drive so you can access them offline.

6.5 IT Support

IT Support hours are Monday to Friday, 9.00 am – 9.00 pm (excluding public holidays).

To contact IT Support:

- use the **Help** icon on your Canvas Portal
- email: itsupport@collaw.ac.nz and copy your communication to your online instructor for their information, or
- call the IT Service Desk on 0800 447 457.

7. Safety, security and welfare

7.1 Conduct at onsite sessions

Onsite workshops may be held at teaching venues hired by the College for that purpose. You must comply with all the requirements of the place at which your onsites are held, in particular those relating to your conduct, to avoid endangering the health, safety or well-being of yourself and other users.

7.2 Occupational safety and health

If you become aware of any hazard or potential hazard at the venues used for the onsite, please report it to College staff who will follow up the matter with the venue itself.

You must report any accidents to College staff so they may be recorded in the Accident Book and investigated.

7.3 Working with your computer

Much of the PLSC is delivered electronically via the Internet. This will involve you in spending many hours in front of the computer. Prolonged or improper use of a computer workstation may pose a risk of serious injury. The Learning Portal User Guide (available on Canvas under the Lawyers' Skills subject course) contains essential reading for you on working with your computer and reducing your risk of injury.

Remember that some nerve, tendon and muscle disorders may be associated with repetitive activities, improper work environment and incorrect work habits. Some activities related to using the computer may aggravate existing musculoskeletal disorders. Some people are more susceptible than others are to developing these disorders.

If you experience discomfort while working at your computer or afterwards, even at night, contact a doctor as soon as possible. Signs of discomfort might include pain, tenderness, swelling, burning, cramping, stiffness, throbbing, weakness, soreness, tingling and/or numbness in the hands, wrists, arms, shoulders, neck, back, and/or legs.

7.4 Prevention of harassment or discrimination

The College is committed to ensuring that all students and staff are treated fairly and equitably, and that their right to study and work in an environment free of harassment or discrimination is recognised. The College requires all staff and students to respect each other's dignity and to treat each other with courtesy, honesty and sensitivity to their rights.

The College does not allow or condone harassment or discrimination of staff or students by other members of staff, students, or other persons, nor does it allow or condone harassment or discrimination of students by members of staff or other students on the grounds of age, race, gender, political or religious belief. The Chief Academic Officer (NZ) will ensure that this policy is implemented and the College will treat any complaint seriously and sympathetically in appropriate ways, which ensure that complainants and witnesses are not victimised. Complaints will be investigated thoroughly, fairly and confidentially in accordance with the College's complaints policy guidelines.

Disciplinary action may be taken against anyone found to have committed harassment or discrimination on any basis. All students and staff have responsibility to contribute to productive, safe and equitable study in any work environment by avoiding practices that lead to, support or condone harassment or discrimination on any basis.

8. Intellectual property and privacy

8.1 Copyright

All course materials (including online materials), practice papers, audio-visual material and other publications of the College are subject to copyright. Enquiries regarding publications should be sent to the Chief Academic Officer (NZ).

Access to the LexisNexis and Westlaw online libraries and research services is provided solely to students for course purposes and must not be used for firm or client purposes.

8.2 College logo

You must not use, depict or display the College logo except in such a manner and circumstances as the College may approve.

8.3 Students' work

The College reserves the right to retain the original or one copy of work completed by you as part of your course or submitted for any award or competition conducted by the College. Any retention does not affect any copyright or other intellectual property right that may exist in such work.

8.4 Privacy of student records

The College will always observe the provisions of the Privacy Act 1993 in relation to student records.

9. General information

9.1 Language proficiency

You need to be proficient in spoken and written English. Assessments may be completed in the Maori language, as provided in the Assessment Rules.

9.2 Complaints

Contact the Chief Academic Officer (NZ) by phone, email or by correspondence.

If your complaint is about the Chief Academic Officer (NZ), contact the Chief Executive Officer.

The policy and practice concerning complaints and disputes is set out in the General Rules at the end of this Manual.

9.3 Correspondence

All correspondence should be sent by email to the Chief Academic Officer (NZ), quoting your name, intake and student number.

9.4 Change of home address and contact details

Please ensure that we have your *current* contact address and other contact details. The College will not accept responsibility if communications fail to reach you because you have changed your home or your primary email address and not notified us.

During the course all email communications will be sent to the primary email address that you nominated at enrolment, unless you advise us of a new email.

9.5 Announcements

Announcements are posted from time to time on Canvas. You must check the Dashboard on Canvas several times a week at least. Alternatively, if you have configured your settings and verified your email within Canvas to receive notifications, you will be notified of any announcements according to these settings.

The College may display notices at the teaching venues used for onsites.

If you fail to read any notices or misread or misunderstand any announcement or notice this will not be accepted as a reason for your being unaware of their contents.

9.6 Mobile telephones

During all teaching and assessment sessions at onsites, you must switch off your mobile phone so that it does not disturb other students or interrupt teaching and learning.

9.7 Statement on the protection of student fees

In accordance with its obligations as a Private Training Establishment (PTE) the College is required to state that it has a student fee protection arrangement in place, to ensure that your fees are protected and available in the unlikely event of the College being unable to continue operating.

9.8 Evaluations

The College actively seeks comprehensive feedback on all aspects of the PLSC including teaching, materials and administration. Your participation in the evaluation process is encouraged and appreciated. Changes are regularly incorporated in the PLSC as a result of feedback from students.

In order to provide feedback, you are asked to complete questionnaires throughout the course. You may also be approached for feedback by the College or market researchers on

behalf of the College, either during or after the course. The responses are confidential and will be used to develop and improve the course.

If you have, at any other time, any comments, concerns or suggestions, which you think would be helpful to us, please address them to the Chief Academic Officer (NZ). Alternatively, you may pass them on through your instructor.

10. Fees and Charges

10.1 Supplementary assessment – Regulation 12 and Regulation 16

Standard Supplementary Assessment

The fee for an application for a standard supplementary skills assessment (made pursuant to Regulation 12 of the Regulations) is \$100 (including GST) per skill.

Note: There is an additional fee of \$50 (including GST) if you wish to undertake your supplementary assessment on a date other than that scheduled by the Chief Academic Officer (NZ).

Pathway B Supplementary Assessment

The fee for an application for a Pathway B supplementary skills assessment (made pursuant to Regulation 12 of the Regulations) is \$600 (including GST).

This one-off fee for Pathway B includes:

- Your supplementary skills assessment;
- Any further skills assessment that may be required under Regulation 13 and Regulation 17 of the Regulations; and
- Additional mentoring as required by an instructor in respect of your supplementary or further skills assessment.

10.2 Further skills assessments – Regulation 13 and Regulation 17

The fee for an application for a further skills assessment (made pursuant to Regulation 17 of the Regulations) is \$150 (including GST) per skill.

Note: There is an additional fee of \$50 (including GST) if you wish to undertake your further assessment on a date other than that scheduled by the Chief Academic Officer (NZ).

10.3 Appeal to Assessment Review Committee – Regulation 19

The fee for an appeal to the Assessment Review Committee (made pursuant to Regulation 19 of the Regulations) is \$250.00 (including GST).

10.4 Fee for transfer between courses and modules

The fee for a transfer between courses and course modules is \$200 (including GST).

10.5 Fee for priority issue of a completion certificate

The fee for priority issue of a completion certificate within five working days of completing all your course requirements is \$200 (including GST). Please note that you must have applied for priority issue at least 14 days prior to your course end date.

PLSC General Rules

1. Enrolment and readmission

- 1.1 Except where otherwise provided for by the College, an application for admission must be made in accordance with the policy and procedures of the College.
- 1.2 Unless express exemption is made by the Chief Academic Officer (NZ), with the concurrence of the Council of Legal Education, the College will not accept you into the PLSC if you have failed to fulfil all the requirements of a law qualification, which is a prerequisite for admission to the PLSC.
- 1.3 You are deemed to be a student of the College while you remain enrolled and until you have passed the course. You will cease to be a student of the College if:
 - (a) you withdraw from the PLSC
 - (b) you are excluded from the PLSC, or
 - (c) your enrolment is otherwise withdrawn or terminated in accordance with these Rules.
- 1.4 You are deemed to be enrolled on the PLSC based on the information provided on your current application form, subject to any variations later approved under these Rules.
- 1.5 If you have:
 - abandoned or withdrawn from the PLSC, or
 - been excluded or had your enrolment terminated

and you subsequently wish to be readmitted to the College, whether into the same or a different PLSC, you must apply and be selected for admission in the same way as persons who have not previously been students of the College. You will be required to pay the course fee in full.

2. Payment of fees and charges

- 2.1 You must pay any prescribed fees by the dates specified by the Chief Academic Officer (NZ).
- 2.2 You must pay any fees or charges in accordance with the policies and procedures of the College.
- 2.3 If you owe the College any money and/or retain any of its property the College may withhold your assessment results until you have paid the debt or returned the property in a satisfactory condition.

3. Conduct and discipline

Compliance with rules, policies and procedures

- 3.1 You will be enrolled on the basis that you comply with these Rules, the Assessment Rules and the College's policies and procedures.

Academic conduct

- 3.2 You must complete any assessment (whether that is by way of test, exercise, assignment, course work, video assessment, video submission, practice court appearance, panel of review, oral briefing or any other assessment task undertaken as part of the PLSC requirements) in accordance with directions of the College and using only the resources authorised by the College.
- 3.3 You must not, by any improper means, obtain or endeavour to obtain assistance in any assessable work or endeavour to give assistance to any other student with respect to assessable work.
- 3.4 You must not do anything to disadvantage other students during an assessment.
- 3.5 If requested, you must produce identification at any assessment.

Other conduct

- 3.6 You must comply with any reasonable directive of the College.
- 3.7 You must not prejudice the good order and governance of the College or interfere with the freedom of other persons to pursue their studies, carry out their functions or participate in the life of the College.
- 3.8 Access to Canvas and course materials is supplied exclusively to you solely for the purposes of participating as a student in the PLSC. You must not copy the materials, supply them to any other person or grant access to Canvas to any other person without the prior written consent of the College. You must keep your User ID and Password confidential.
- 3.9 The online library facilities supplied by LexisNexis, Westlaw and other publishers are provided solely for your educational purposes as you complete the course. You must not use them for any commercial or other private benefit to yourself, your firm or your firm's clients or any other persons.
- 3.10 You must keep your passwords for online libraries confidential.

4. Procedure (for non-compliance with Part 3) for summary exclusion

Summary exclusion from sessions or the PLSC

- 4.1 A member of staff or other authorised person, who is conducting a session (including supervising an assessment), may exclude you from the session if he or she reasonably suspects you of non-compliance with Part 3 and will advise you of the grounds of their suspicion at the time of exclusion or as soon as practicable.
- 4.2 Any member of staff or other authorised person responsible for the operation or maintenance of any facility of the College or of a teaching or other venue being used by the College may exclude you from the facility or from the use of the facility if they suspect you of non-compliance with Part 3 in relation to the facility.
- 4.3 Unless sooner revoked, an exclusion under this clause ceases to have effect:
 - (a) in the case of the exclusion from a session, at the end of the day on which you were excluded, and
 - (b) in any other case, at the expiration of 7 days from the day on which the alleged breach of discipline occurred.
- 4.4 A person who excludes you from a session or from a facility used by the College must notify the Chief Academic Officer (NZ) as soon as practicable after the exclusion takes place.
- 4.5 If a staff member or other authorised person suspects you of non-compliance with Part 3 in relation to academic conduct during any assessment task, the staff member or other authorised person has the right to take prompt action to prevent the continuance of the suspected non-compliance and must provide a written report to the Chief Academic Officer (NZ) as soon as practicable.

Inquiries into alleged non-compliance with Part 3

- 4.6 The Chief Academic Officer (NZ) may (whether as a consequence of the making of a complaint or otherwise) cause inquiries to be made in relation to any non-compliance with Part 3 that is alleged to have been committed by you.
- 4.7 The Chief Academic Officer (NZ) may exclude you from College activities while such enquiries are being made, provided that such exclusion does not exceed 7 days.

Chief Academic Officer (NZ) to issue show cause notice

- 4.8 If the Chief Academic Officer (NZ), after enquiry, determines that you have not complied with Part 3, the Chief Academic Officer (NZ):
 - (a) must notify you and the Executive Management Team of the College
 - (b) must give you a reasonable opportunity (being a period of not less than 7 days) within which to make written representations to the Executive Management Team in relation to the alleged non-compliance with Part 3, and

- (c) must take into account any written representations you make during that period.

Executive Management Team to dismiss certain matters

4.9 If the Executive Management Team determines that:

- (a) you have complied with Part 3, or
(b) after inquiries have been completed into the matter and having heard your representations, the breach alleged has not been proved to its satisfaction,

the Executive Management Team must dismiss the matter and inform you accordingly.

5. Consequences of non-compliance with Part 3

5.1 If, after taking into account any written representations you have made, the Executive Management Team determines that you have not complied with Part 3, the Executive Management Team may, taking into account your previous disciplinary record, do any one or more of the following things:

- (a) withhold your results
(b) suspend you for a period not exceeding 6 months
(c) exclude you from specified sessions or parts of the course for a specified period not exceeding 6 months
(d) exclude you from specified facilities used by the College for a specified period not exceeding 6 months
(e) if the non-compliance with Part 3 involves loss or damage to property of the College or of a teaching or other venue used by the College, the College will require you to repay to the College or the venue a specified amount not exceeding the amount of the loss or damage
(f) impose conditions in relation to your participation in the PLSC or your use of College facilities or its teaching or other venues, or
(g) caution or reprimand you.

5.2 The Executive Management Team may and, where obliged to, will report the fact and circumstances of the non-compliance to any one or more of the following:

- the High Court of New Zealand
- the New Zealand Council of Legal Education, and
- the New Zealand Law Society and any relevant branch.

Executive Management Team to give notice of decision

5.3 The Executive Management Team must notify you, as soon as practicable, of:

- any decision made pursuant to these Rules, and
- its reasons for the decision.

6. Complaints and Disputes

Making a complaint

- 6.1 If you have a complaint (or dispute) relating to a member of staff or other authorised person, another student or in relation to the administration of the course, you may bring the complaint to the Chief Academic Officer (NZ), who will refer the matter to the Executive Management Team.
- 6.2 If after 21 days, the complaint is not satisfactorily resolved or appropriate action taken, you will be advised to refer the complaint to the New Zealand Qualifications Authority, P.O. Box 160, Wellington. Telephone (04) 802 3000.

Dealing with a complaint

- 6.3 The College will apply these principles when dealing with student complaints:
- resolution will be sought at the most appropriate level commensurate with the seriousness of the complaint
 - mediation will occur wherever possible
 - the principles of natural justice will be observed
 - documentation will not be necessary at the initial stage but will be required if a complaint is of a serious nature or is not readily resolved, and
 - confidentiality will be preserved to the extent possible to achieve resolution of the complaint.
- 6.4 The College will follow these guidelines:
- where the complaint relates to a staff member or other authorised person, the College will not discuss it with that staff member nor reveal your identity without first advising you
 - written material will be kept confidential and will not be shown to anyone who is not directly involved in handling the complaint. On finalisation of a complaint, all written material will be placed on a confidential file (not the student's or staff member's personal file) or destroyed
 - the assistance of the Client Services Manager will be sought, where appropriate, with your consent
 - where a complaint involves an allegation of serious misconduct by a staff member or other authorised person, the Chief Academic Officer (NZ) will report the matter to the Board and take no further action unless directed by the Board
 - the College will not act if the complaint relates to circumstances outside the College, the course or staff employment and/or outside your identity as a student.

7. Conflict of Rules

- 7.1 Where any conflict arises between these General Rules and the Council of Legal Education's Professional Legal Studies Course Regulations 2004, the Council's Regulations prevail.