

# Academic Program Rules

# Professional and Continuing Education

## Contents

<b>Professional Certificate in Arbitration</b> <sup>+</sup> Pro.Cert.Arb. ....	534
<b>Certificate IV in Teaching English to Speakers of Other Languages (TESOL)</b> Pro.Cert.TESOL.....	537

<sup>+</sup> There will be no intake into this program in 2009.

## Postgraduate Awards

- Professional Certificate in Arbitration
- Certificate IV in Teaching English to Speaker of Other Languages (TESOL)

### Notes on Delegated Authority

1. Council has delegated the power to approve minor changes to the Academic Program Rules to the Executive Deans of Faculties.
2. Council has delegated the power to specify syllabuses to the Head of each department or centre concerned, such syllabuses to be subject to approval by the Faculty or by the Executive Dean on behalf of the Faculty.



# Professional Certificate in Arbitration

**Note: There will be no intake into this program in 2009.**

## 1 Duration of program

Taught over two semesters, the Professional Certificate in Arbitration comprises a General and Advanced course, each with 13 weeks of online learning or face-to-face tutorials. There is a compulsory one-day workshop each semester and an additional one-day program for online students.

An introductory session to the Australian Legal System is provided at the commencement of the General Course.

Online learning is offered to students unable to attend tutorials in designated locations.

## 2 Admission

### 2.1 Basic qualifications

- 2.1.1 The qualifications which would allow automatic admission to the Professional Certificate are recommended as one of the following:
- a A degree from a University recognised by the University of Adelaide in a field or discipline leading to the holder's practising in the relevant field, plus two years continuous practice in the field
  - b A diploma or other tertiary qualification from a University or institution (including a TAFE college) recognised by the University of Adelaide, plus not less than three years experience in the practice of the calling for which the qualification is held  
*or*
  - c A recognised industry-based qualification (such as training in business management through the Institute of Management), the holding of a senior and responsible position within business or industry with not less than four years total experience  
*or*
  - d The holding of a senior position in a field of practice or discipline, plus not less than five years total experience in that field  
*or*
  - e Such other qualification or experience as the Faculty of Law, on the advice of the Advisory Board of Management, sees fit.
- 2.1.2 Being a person of good repute with no criminal record and holding a senior and respected position in the field of practice in which the person works.
- 2.1.3 Relevance of the Professional Certificate as contributing towards a masters degree:

Graduates possessing a Professional Certificate may be allowed to continue to study for the qualification of a Masters Degree Law specialising in Arbitration provided that:

- a They possess the necessary other qualifications required (e.g. the holding of an appropriate degree)
- b They are acceptable to the relevant Faculty of Law admitting them as students.

### 2.2 Status

Candidates possessing a law degree may be granted exemption from the General Program, dependent on their years of experience in the field and the number of ADR cases dealt with in their professional career.

## 3 Assessment

General course assessment comprises the following:

- a participation at compulsory one-day workshop
- b 3,000 word assignment
- c 2 hour exam
- c participation in discussion threads and other online activities (online students only).

The Advanced course assessment consists of the following:

- a participation at the one-day workshop
- b 4000-5000 word assignment
- c 3 hour final exam
- d participation in discussion threads and other online activities (online students only).

## 4 Qualification requirements

### 4.1 Program of study

To qualify for the Professional Certificate, a candidate shall satisfactorily complete the General course, and successfully pass all components of the Advanced course.

Candidates are serviced with all program materials, including text book, Arbitration DVD and website for online learning.

Email enquiries: [pce@adelaide.edu.au](mailto:pce@adelaide.edu.au)

## Graduate Attributes

### Professional Certificate in Arbitration

#### Knowledge

On completion of this program, the student should have an understanding of:

- Basic legal principles applicable to simple arbitrations including the Law of Torts, the Law of Contract, Trade Practices, Law, Waiver and Estoppel and the Law of Evidence
- Principles of Procedural Fairness including bias, notice, opportunity to a present case and rebut an opposing case(s), and the necessity to rely upon logically compelling evidence
- The application, scope and operation of the Commercial Arbitration Act
- The validity and enforceability of an arbitration agreement
- The severability of dispute resolution clauses
- The scope of an arbitrator's jurisdiction
- Confidentiality and privacy within an arbitration
- The principles and process governing the holding of a preliminary conference including knowledge of the various directions which the arbitrator may make to conduct the arbitration fairly and expeditiously
- The principles underlying the arbitrator's power to conduct a mediation
- The distinction in process between expedited and more complex and lengthy cases
- The process of discovery
- Subpoenas
- The principles and process governing simple interlocutory matters
- The distinction between 'documents only hearings' and hearing where oral evidence is taken
- The principles governing the conduct of a fair hearing
- The principles governing the receipt of evidence
- The principles governing expert evidence
- The process governing the receipt of expert evidence
- The principles and process governing the recording of evidence
- The legal requirements of a valid award
- The professional requirements of a well crafted award
- The powers of the courts to review the arbitration process
- The powers of the courts on appeal from an arbitration.

#### Skills

On completion of this program, the student should demonstrate the ability to:

- Work within the system/rules governing the accepting and handling of cases
- Allocate time, effort and other resources so as to deal expeditiously with information, issues, scheduling, witnesses, parties and the conduct of an arbitration
- Explain the role of the arbitrator
- Conduct a simple preliminary conference
- Determine simple questions of legitimacy and jurisdiction
- Supervise the parties to an arbitration
- Handle simple interlocutory matters.

## Professional Certificate in Arbitration (cont'd)

- Keep proper records of arbitration
- Speak clearly
- Maintain a conducive atmosphere throughout the arbitration
- Conduct a fair hearing
- Conduct a simple hearing according to the requisite procedural requirement
- Organise and analyse data
- Differentiate between different types of evidence (oral, documentary, direct, indirect, hearsay)
- Correctly apply basic legal principles to simple fact scenarios
- Observe and accurately interpret evidence
- Differentiate between the value and reliability of evidence
- Determine inferences that can be properly drawn from data presented and omitted
- Bring simple cases to completion
- Summarise facts and conclusions
- Reference any law relied upon
- Convey a decision clearly to the parties.

### **Attitudes**

On completion of this program, the student should demonstrate an:

- Understanding of the appropriate relationship between an arbitrator and the parties to dispute
- Understanding of the need to remain impartial and independent
- Understanding of the need to maintain legitimacy
- Understanding of the need to remain informed, responsible and critically discriminating in his or her participation in the community
- Commitment to ethical and personal standards of professional behaviour.



# Certificate in Teaching English to Speakers of Other Languages (TESOL)

## 1 General

There shall be a Certificate IV in Teaching English to Speakers of Other Languages (TESOL).

## 2 Duration of program

The Certificate IV in TESOL is delivered in a full-time intensive mode or part-time, semi-intensive mode. Either mode consists of 120 hours contact time with 100 hours of independent study required

## 3 Admission

3.1 For admission to the program of study for Certificate IV in TESOL applicants must have:

- a a completed postsecondary degree, diploma or certificate and/or relevant vocational experience
- b met the minimum requirements of the pre-interview tasks and interview.

A candidate will not be permitted to defer an offer of admission to the program.

## 4 Enrolment

4.1 Candidates must obtain the approval of the Director of Studies of the University's English Language Centre (ELC) or their nominee for the proposed program of study.

4.2 The requirements of the program must be completed within the duration of the program.

## 5 Assessment and Examination

5.1 Students are required to attend all course sessions. Students who do not comply may be failed.

5.2 In determining a candidate's final result in the program examiners will take into account assignments, attendance, participation, and delivery and presentation of practical teaching sessions.

5.3 There shall be four classifications of pass in the final assessment of the program for the Certificate awards: Pass with High Distinction, Pass with Distinction, Pass with Credit and Pass.

5.4 A candidate who has twice failed an assignment may not resubmit except by special permission of the Director of Studies of the ELC and then only under such conditions as prescribed.

## 6 Qualification requirements

6.1 To qualify for the Certificate IV in TESOL a candidate shall satisfactorily complete all theoretical courses and practical courses.

6.2 Subject to Chapter 89 of the Statutes, candidates who have satisfied the requirements for any award of the University shall be admitted to that award at a graduation ceremony for the purpose.

### 6.2.1 Academic Program

Candidates shall satisfactorily complete the course:

Teaching English to Speakers of Other Languages..... 12

This course consists of the following core Modules:

- i Apply Adult TESOL Methodologies to Develop English Language skills
- ii Design and Develop Learning Strategies
- iii Design and Develop Learning Resources
- iv Identify and use basic Grammatical Concepts and Traditional Metalanguage
- v Plan an Integrated Lesson using Communicative Language Teaching Methodology
- vi Use the Terminology of Traditional Grammar and Locate Information in a Grammar Book

**Notes** (not forming part of the Academic Program Rules)

1 The Certificate IV in TESOL is a nationally accredited award.

2 Special Circumstances

When in the opinion of the ELC special circumstances exist, the Council, on the recommendation of the Faculty in each case, may vary any of the provisions of the Academic Program Rules for any particular award.

## Graduate Attributes

### Certificate IV in Teaching English to Speakers of Other Languages (TESOL)

The following attributes are developed by this program:

#### Knowledge

On completion of this program, the student should have an understanding of:

- Discuss factors involved in second language acquisition by adults
- Describe features of different learning styles in relation to language learning
- Be aware of the linguistic knowledge that a native speaker of English has
- Identify and explain the relevance of functions and notions in the TESOL context relevant to learners at different stages of language development
- Identify and explain the relevance of genre in the TESOL context
- Name and discuss a range of grammatical structures
- Demonstrate effective strategies for managing student activities
- Discuss the processes involved in developing the skills of reading, writing, listening and speaking in a TESOL context
- Describe various communicative teaching strategies applicable to the TESOL environment
- Identify the elements of good or poor teaching materials
- Describe and explain the application of a range of common assessment tools.

#### Skills

On completion of this program, the trainee teacher should demonstrate the ability to:

- Use grammatical terms accurately in lesson planning and classroom delivery
- Identify and correct grammatical errors and explain corrections
- Develop appropriate lesson materials
- Manage time in class effectively and sensitively
- Analyse personal cultural assumptions and expectations in relation to working in a TESOL classroom
- Flexibly and effectively use classroom resources, realia and authentic materials in language teaching
- Describe and apply various communicative teaching strategies applicable to the TESOL environment
- Evaluate various styles of teaching in relation to own performance
- Construct effective teaching plans for individual lessons
- Identify the elements of syllabus design.

#### Qualities

On completion of this program, the trainee teacher should demonstrate the following qualities:

- Taking responsibility for further learning and professional development.
- Applying logical, critical and innovative thinking to a range of issues and ideas.
- Engaging effectively with the cultural and intellectual ideas of others.
- Being a competent, creative and a critical user of information communication.
- Being committed to the interests of the learners.
- Being aware and empathetic to the concerns of individuals which may impact on learning.
- Being committed to ethical and personal standards of professional behaviour.
- Being committed to the implementation of policies of equity and diversity in the profession.

