

Education and Research terms - LexisNexis Concise Australian Legal Dictionary
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1. **academic misconduct** Cheating in an examination, other assessment or research, including the use of unauthorised materials or information, plagiarism or passing off another's work as one's own, or falsification of research data, methods or findings, with a view to gaining unjustified advantage.
2. **AHRC** See **Australian Human Rights Commission**.
3. **Australian Human Rights Commission** *Abbr – AHRC* The renamed (in 2008) Human Rights and Equal Opportunity Commission which was established in 1986 to protect and promote human rights in Australia: *Australian Human Rights Commission Act 1986* (Cth). It has responsibility for administering the *Age Discrimination Act 2004* (Cth), *Disability Discrimination Act 1992* (Cth), *Race Discrimination Act 1975* (Cth) and the *Sex Discrimination Act 1984* (Cth), and further functions in relation to many international instruments: for example, *International Covenant on Civil and Political Rights* (ICCPR) and the *United Nations Convention on the Rights of the Child* (UNCROC). See also **Human Rights and Equal Opportunity Commission**.
4. **AIFS** See **Australian Institute of Family Studies**.
5. **Australian Institute of Family Studies** *Abbr – AIFS* A body corporate established by the Commonwealth Government to promote understanding of the factors affecting marital and family stability in Australia, through the conduct, encouragement, and coordination of research, with the object of promoting the protection of the family as the natural and fundamental group unit in society: *Family Law Act 1975* (Cth) s 114B(2)(a). See also **costs of children; Family Law Council**.
6. **Bachelor of Jurisprudence** *Abbr – BJuris* A qualification in the discipline of law conferred by a tertiary educational institution, usually providing a program of study in the law and legal institutions, the interaction of law and society, and the place of law in social control. It does not by itself generally satisfy the academic requirements for admission to the practice of law. See also **admission; Bachelor of Laws; law; law school; social control theory**.
7. **Bachelor of Laws** *Abbr – LLB* A qualification in the discipline of law, conferred by a tertiary educational institution after a period of undergraduate education satisfying the academic requirements for admission to the practice of law. See also **admission; Juris Doctor; law school**.
8. **bursary** Funds granted to a student to assist him or her with the costs of education, usually at a secondary school or a higher education institution. A student may be eligible for a bursary on the basis of academic excellence or economic or social disadvantage, depending upon the terms of the particular scheme. Regulations governing the granting of bursaries may be found in university by-laws: for example, *Australian National University Act 1991* (Cth) s 50(2)(p).
9. **by-law** *Education and research* A regulation or statute made by a university's governing body (usually the academic council or senate). A by-law may deal with a matter that is necessary or convenient to be prescribed in order to give effect to the university's founding statute: for example, *Australian National University Act 1991* (Cth) s 50; *University of Sydney Act 1989* (NSW) s 36. See also **statute**.
10. **certificate course 1**. In relation to vocational education and training, a course meeting the requirements of courses presented at Certificate I, II, III or IV levels as defined by the criteria prescribed by the Australian Qualifications Framework. **2**. In relation to universities, a course

usually requiring the completion of one semester full-time postgraduate study or equivalent. The requirements are detailed in each university's regulations. See also **certificate**.

11. **Chancellor** The most senior officer of a university. The Chancellor is appointed by the governing body of the university, and holds office according to the terms and conditions set out in the founding statute of the university: for example, *Australian National University Act 1991* (Cth) s 32; *University of Technology, Sydney, Act 1989* (NSW) s 10. See also **Lord Chancellor**.
12. **Commonwealth Scientific and Industrial Research Organisation** *Abbr – CSIRO* A body established by the Commonwealth Government to undertake and assist in the application of scientific research for the benefit of the Australian community and industry: *Science and Industry Research Act 1949* (Cth) ss 8, 9, 9AA.
13. **Commonwealth Disability Standards for Education 2005** Standards regulating the provision of education and training to persons with disabilities. The standards relate to enrolment, participation, course development and delivery, student support services, and elimination of harassment and victimisation, and clarify the obligations of providers under the *Disability Discrimination Act 1992* (Cth). Breach of a standard may amount to unlawful discrimination under the *Disability Discrimination Act 1992* (Cth). Complaint is made in the first instance to the Australian Human Rights Commissioner. See also **Australian Human Rights Commission**.
14. **continuing legal education** *Abbr – CLE* Post-admission education and training. Also known as continuing professional development. A course of education which a practitioner takes every year in which the practitioner holds a practising certificate. Solicitors in most jurisdictions are required to undertake continuing or further legal education as a condition of the issue or renewal of a practising certificate: for example, *Law Society Professional Conduct and Practice Rules 2009* (NSW) Pt 42; *Legal Profession Act 2006* (ACT) s 47(8). Barristers in most jurisdictions have a similar requirement of mandatory continuing legal education (MCLE): for example, *Legal Profession (Barristers) Rules 2008* (ACT). CLE is managed by professional associations, and provides instruction in recent developments in substantive law, practical skills development, office management, and loss prevention. CLE is provided in various forms, the most common being seminars and workshops.
15. **continuing professional development** See **continuing legal education**.
16. **CSIRO** See **Commonwealth Scientific and Industrial Research Organisation**.
17. **education** **1.** The process of acquiring knowledge including the skills and competencies required to participate effectively in the world. It includes such areas as apprenticeships or vocational training: for example, *Family Law Act 1975* (Cth) s 60. Education has been interpreted to mean any manner of acquiring skills which may be of use in life: *In the Marriage of O'Dempsey and Van Raay* (1990) FLC ¶92–178. **2.** The provision of tuition and other services to enable individuals to undertake structured courses of study at primary, secondary or tertiary level. It includes such areas as apprenticeships or vocational training provided by the Vocational Education and Training system (VET). See also **child maintenance**; **educational institution**.
18. **educational institution** A primary or secondary school, a higher education institution (a university), or an institute of technical and further education (TAFE). Educational institutions may be established and maintained by government departments or non-government bodies. See also **education**. *Human rights* In relation to anti-discrimination legislation, any school, college, university, or other institution that provides training and education and falls within the operation of the statute: for example, *Sex Discrimination Act 1984* (Cth) s 4(1); *Disability Discrimination Act 1992* (Cth) s 4(1). See also **anti-discrimination legislation**.
19. **educational negligence** **1.** A breach of the duty of care existing in the teacher–pupil relationship that has caused reasonably foreseeable injury to the pupil for which compensation may be awarded:

for example, *Ramsay v Larsen* (1964) 111 CLR 16; *Geyer v Downs* (1977) 138 CLR 91; 17 ALR 408. The duty is non-delegable (*Commonwealth v Introvigne* (1982) 150 CLR 258; 41 ALR 577) and may require intervention in a peer conflict or bullying situation: *Cox v New South Wales* (2007) 71 NSWLR 225; [2007] NSWSC 471; *Gregory v New South Wales* [2009] NSWSC 559. **2.** Incompetent teaching of a student or negligent evaluation of a student's educational needs. Also known as 'educational malpractice'. See also **duty of care; standard of care.**

20. **educational purposes** The purposes for which certain institutions may make, use, and retain, copies of copyright material: *Copyright Act 1968* (Cth) Pts VA, VB. See also **copyright; educational institution; statutory licence.**
21. **exclusion** See **expulsion.**
22. **expulsion** **1.** Banishment or ejection (for example, from a place, position, community). **2.** The act or process of depriving a person of their continued membership of, or involvement in a partnership or an organisation, including a school, see for example: *Education Act 2004* (ACT) s 36; *Education and Training Reform Act 2006* (Vic) s 2.2.19; New South Wales Department of Education and Training, Student Welfare Directorate, Suspension and Expulsion of School Students – Procedures (2007). See **suspension.**
23. **honoris causa** /ΘvOpIσ κoYζ≅/Lat – in order to show esteem and respect. The granting of an honorary degree by a university to a distinguished scholar or public figure.
24. **JD** See **Juris Doctor.**
25. **Juris Doctor** *Abbr* – **JD** A graduate law degree based on the United States model satisfying the academic requirements for admission to the practice of law, now offered by some Australian universities: for example, University of Technology, Sydney, University of New South Wales, University of Sydney and University of Melbourne. See also **Bachelor of Laws.**
26. **law school** An educational facility conducted by a tertiary educational authority that aims to produce graduates eligible to be admitted as lawyers: for example, *Legal Profession Admission Rules 2005* (NSW) r 4, under *Legal Profession Act 2004* (NSW). Other aims may include scholarship, research, and community service in relation to the discipline of law. See also **Bachelor of Laws; Juris Doctor; practical legal training.**
27. **mandatory continuing legal education** See **continuing legal education.**
28. **mandatory reporting** The statutory obligation on medical practitioners and other professionals, including school principals and teachers, to notify the prescribed authority if there are reasonable grounds to suspect that a child under 16 years of age is being abused: for example, *Children and Young Persons (Care and Protection) Act 1998* (NSW) s 27(1), (2). See also **abuse; child welfare; sexual abuse; sexual assault.**
29. **MCLE** See **continuing legal education.**
30. **overseas student** In relation to the registration of providers of education services, a person who holds a student visa issued under the regulations made under the *Migration Act 1958* (Cth): *Education Services for Overseas Students Act 2000* (Cth) s 5.
31. **suspension** *Education and research* A disciplinary sanction by which a student is forbidden to attend an educational institution for a given period of time. See also **corporal punishment; expulsion.**
32. **traineeship** A statutory arrangement for the provision of vocational education and training: for example, *Apprenticeship and Traineeship Act 2001* (NSW) Pt 2 Div 2.
33. **UNESCO** See **United Nations Educational, Scientific and Cultural Organization.**

34. **United Nations Educational, Scientific and Cultural Organization** *Abbr – UNESCO* A United Nations specialised agency established in 1946 by the Constitution of the United Nations Educational, Scientific and Cultural Organization 1945 to promote collaboration among its member states in education, science, culture, and communication with the purpose of furthering a universal respect for human rights, justice, and the rule of law without distinction of race, sex, language, or religion. With a focus on the social sciences, UNESCO establishes education programs and assists in the maintenance of cultural heritage, and the improvement of the quality of the world media. Australia accepted the constitution on 28 May 1946. See also **United Nations specialised agency**.
35. **United Nations University** *Abbr – UNU* An autonomous research and training institution within the United Nations, established in 1973 and operative since 1975. Its principal aim is to promote scholarly international and scientific cooperation to help solve urgent global problems. See also **United Nations**.