

RULE CHANGES APPROVED BY COUNCIL

Pursuant to the UTS Bylaw (Part 4, division 3, clause 44), the following rule changes made by UTS Council take effect immediately.

At its meeting 08/4 on 20 August 2008, Council resolved

COU/08-4/68

Council resolved to:

- .1 receive and note the report, as detailed in Document 5.1 and Attachments 1 to 7, *Report from Academic Board*;
- .2 approve the following amendments to the Student and Related Rules:
 - .i Rule 3.10 Appeals procedure, as detailed in Attachment 1;
 - .ii Rule 5.6 Withdrawal of offer of admission and cancellation of admission or enrolment, as detailed in Attachment 2;
 - .iii Rule 9.1 Examination timetables, as detailed in Attachment 3;
 - .iv Rule 11.21.11 Appeal against discontinuation of candidature, as detailed in Attachment 4;
 - .v Rules 17.3 Professional Experience Appeals Committee and 17.4 Appeals Committee (Non-disclosure), as detailed in Attachment 5;
 - .vi Schedule 2 Relevant legislation, as detailed in Attachment 6;
 - .vii Schedule 3 Results and grades, as detailed in Attachment 7.

Student and Related Rules – 3.10 Appeals procedure

[new text underlined, text to be deleted ~~stuck through~~, Rules renumbered as appropriate]

3.10 Appeals procedure

- 3.10.1 A student may appeal to the Professional Experience Appeals Committee against any decision taken by the Vice-Chancellor pursuant to Rule 3.4.6.
- 3.10.2 An appeal must be in writing, specify and substantiate the grounds of the appeal and be lodged with the Registrar within ~~three (3)~~ four (4) weeks of the date of notification.
- 3.10.3 In normal circumstances the grounds for appeal are:
- (1) procedural irregularities which are of such a nature and extent that they are likely to have had a significant negative impact on a decision in relation to the student's ability to continue or participate in the required professional experience;
 - (2) the existence of mitigating circumstances, supported by documentary evidence, which directly and significantly affected the student's performance which were not known at the time of making the decision, which are of such a nature and extent to make it likely that the student could complete the professional experience in the future;
 - (3) the decision was based on factual errors of such magnitude as to invalidate the decision;
 - (4) the conclusion as to the student's suitability for further professional experience was manifestly unreasonable, taking account of all the circumstances of the matter and the relevant professional standards and practices.
- 3.10.4 The Registrar shall refer the appeal to the Vice-Chancellor for any written comment that the Vice-Chancellor wishes to make. The Vice-Chancellor may seek advice from the relevant Dean and other relevant members of staff. The Vice-Chancellor shall then forward his or her comments, and the advice received, to the Registrar.
- 3.10.5 The Registrar shall then refer the Vice-Chancellor's comments to the student for the student to provide a written response. The student's response must reach the Registrar within ten (10) days of the date of notification. The Registrar shall then refer the student's appeal, the Vice-Chancellor's comments and the student's response to the Professional Experience Appeals Committee, constituted under Rule ~~47.4~~ 17.3, for consideration and decision.

Student and Related Rules – Section 5 Admission

[new text underlined, text to be deleted ~~stuck through~~, Rules renumbered as appropriate]

5.6 *Withdrawal of offer of admission and cancellation of admission or enrolment*

5.6.1 The University reserves the right to withdraw an offer of admission and cancel the student's admission or enrolment in cases where:

- (1) an applicant for admission to a course has not provided true and complete information, including:
 - (a) failure to disclose full details of all previous academic information and study as required on the application form; or
 - (b) failure to disclose full details as proof of identity and citizenship status as required on the application form;and where the provision of untrue or incomplete information results in:
 - (c) contravention of any legislative provisions; or
 - (d) the advantage of the applicant and/or inequitable treatment of other applicants; or
 - (e) an incorrect assessment of the application in relation to meeting admission requirements or standards.
- (2) an applicant, who has been granted approval of deferral of commencement in a course, enrolls in any other undergraduate or graduate courses (including diplomas, advanced diplomas and associate degrees at post secondary level) at any tertiary institution during the period of approved deferral;
- (3) a student, who has been re-admitted to a course with conditions relating to his or her future conduct at the University set by the Vice-Chancellor (or delegate), fails to satisfy those conditions.

5.6.2 Appeal

- (1) An appeal may be lodged by an applicant against decisions made in accordance with Rule 5.6.1(1) in relation to withdrawal of an offer of admission and cancellation of admission and/or enrolment.
- (2) An appeal must be in writing, specify and substantiate the grounds of the appeal and be lodged with the Registrar within ~~two (2)~~ four (4) weeks of the date of notification.

- (3) In normal circumstances, the grounds for appeal are:
 - (a) procedural irregularities; and/or
 - (b) mitigating circumstances, supported by documentary evidence, which directly and significantly affected the applicant's ability to provide complete and true information.
- (4) The Registrar shall refer the appeal to the Senior Deputy Vice-Chancellor. The Senior Deputy Vice-Chancellor may seek the recommendation of the Dean and other relevant members of staff. The Senior Deputy Vice-Chancellor shall then forward his or her recommendation, and the advice received, to the Registrar.
- (5) If the recommendation of the Senior Deputy Vice-Chancellor is that the appeal be upheld, the cancelled offer of admission and/or enrolment will be reinstated and the applicant will be advised of this by the Registrar. If the recommendation is to dismiss the appeal, the Registrar shall refer the appeal to an Appeals Committee (Non-disclosure), constituted under Rule 17.5 17.4, for consideration and decision.
- (6) Where an appeal is dismissed the withdrawal of offer and cancellation of admission and enrolment will be confirmed by the Registrar.

Student and Related Rules – Section 9 Examination of Coursework Subjects

[new text underlined, text to be deleted ~~stuck through~~, Rules renumbered as appropriate]

9.1 Examination timetables

~~9.1.1 A provisional timetable should be produced for all centrally conducted examinations and displayed on the University website, or as otherwise determined by the Registrar and advised to students by an appropriate means, at least five (5) weeks before the commencement of an official examination period and will continue to be displayed for at least two (2) weeks.~~

9.1.1 The ~~final~~ examination timetable showing the location of all centrally conducted examinations should be available on the University website, or as otherwise determined by the Registrar and advised to students by an appropriate means, at least ~~two (2)~~ five (5) weeks before the commencement of an official examination period and will continue to be available until the end of the examination period.

9.1.2 Information concerning examination timetables will not be provided by the University to students by telephone.

9.1.3 For faculty-based examinations, the faculty is required to take all reasonable steps to minimise clashes with both other faculty-based examinations and centrally conducted examinations. Where clashes occur, faculties are responsible for making reasonable alternative arrangements for students in the faculty-based examinations.

9.1.4 When an unavoidable clash occurs in the scheduling of a centrally conducted examination for a particular student, the Registrar (or nominee) will notify the student as soon as possible after the release of the final examination timetable of the special arrangements made to resolve the scheduling clash.

9.1.5 (1) Where a student considers that he or she has a serious individual scheduling difficulty with the ~~final~~ examination timetable, the student shall advise the Registrar (or nominee) immediately in the manner prescribed by the Registrar and request that alternative arrangements be made.

(2) Acceptable grounds for serious individual scheduling difficulty requests include but are not limited to:

- (a) three examinations occurring consecutively in any twenty-four hour period;
- (b) sporting or cultural representative commitments at state, national or international level;
- (c) observance of significant religious events for which the student can demonstrate ongoing personal commitment;
- (d) significant personal or family events or business commitments for which the student can provide documentary evidence which satisfies

the Registrar that the commitment could not be undertaken outside the examination period.

- (3) Unacceptable grounds for serious individual scheduling difficulty requests include:
 - (a) holiday arrangements;
 - (b) sport and leisure activities;
 - (c) travel arrangements including those for overseas study.
- (4) The Registrar (or nominee) must consider such requests and make alternative arrangements where this is appropriate and practicable. The Registrar (or nominee) must notify the student as soon as possible of any decision and any special arrangements made in relation to the individual scheduling difficulty.

**COUNCIL 08/4
ATTACHMENT 4**

Student and Related Rules – Section 11 Graduate Research Study

11.21 Appeal against discontinuation of candidature

[new text underlined, text to be deleted ~~stuck through~~]

11.21.11 The Registrar shall then refer the student's appeal, the Dean's recommendation and the student's response to the Graduate Research Students' Appeals Committee, constituted under Rule ~~17.3~~, 17.2 for consideration and decision.

Student and Related Rules – Section 17 Appeals Committees of Academic Board

[new text underlined, text to be deleted ~~stuck through~~, Rules renumbered as appropriate]

17.3 Professional Experience Appeals Committee

17.3.1 Composition

- (1) A Professional Experience Appeals Committee shall consist of:
 - (a) Chair/Deputy Chair appointed by the Chair of the Academic Board;
 - (b) two academic staff members, with experience in the placement and administration of professional experience students, ~~appointed from a panel appointed by the Academic Board from the panel members~~ nominated by the Deans under Rule 17.3.1 (4) below;
 - (c) a student of the University who has been enrolled at the University for at least one year and who has completed, or partially completed, professional experience course requirements, ~~appointed from a panel appointed by the Academic Board from the panel members~~ nominated by the Deans under Rule 17.3.1 (4) below.
- (2) When an appeal is lodged the Chair, Academic Board, in consultation with the Senior Deputy Vice-Chancellor shall constitute a Professional Experience Appeals Committee as required in Rule 17.3.1(1) above from ~~panels appointed by Academic Board~~ staff nominated by the Deans of each Faculty (refer rule 17.3.1 (4)).
- (3) The Chair, Academic Board shall appoint ~~panels of~~ persons in categories (a), (b) and (c) above ~~every two years~~ when the Committee is required to meet.
- (4) Nomination of ~~panel-Committee~~ members shall be made by the Dean of each Faculty which has a substantial number of students in courses with professional experience requirements.
- ~~(4) The Chair, Deputy Chair and panel Committee members may be appointed for not more than two consecutive terms.~~
- (5) All members of a Professional Experience Appeals Committee must be present at all meetings convened for a specific case. This requirement can be satisfied by the participation of one or more members through telephone or video conferencing.
- (6) Before making a final determination and consistent with procedural fairness, the Committee, through the Chair, may obtain appropriate advice and assistance from a person with strong experience in professional education of students in the relevant area, who has had no previous involvement in the matter, to assist it in assessing necessary levels of capacity and standards of behaviour in students in placements.

17.4 Appeals Committee (Non-disclosure)

17.4.1 Composition

- (1) An Appeals Committee (Non-disclosure) shall consist of:
 - (a) the Chair, appointed by the Chair, Academic Board;
 - (b) two academic staff members, with experience in admission procedures of the University, ~~appointed from a panel~~ nominated by the ~~Academic Board~~ Deans under Rule 17.4.1 (4).
- (2) When an appeal is lodged the Chair, Academic Board, in consultation with the Senior Deputy Vice-Chancellor shall constitute an Appeals Committee (Non-disclosure) as required in Rule 17.4.1(1) above.
- (3) The Chair, Academic Board shall appoint ~~panels of persons~~ in categories (a) and (b) above ~~every two years~~ when the Committee is required to meet.
- (4) Nomination of ~~panel~~ Committee members shall be made by the Dean of each Faculty.
- (4) ~~The panel Committee members may be appointed for not more than two consecutive terms.~~
- (5) All members of an Appeals Committee (Non-disclosure) must be present at all meetings convened for a specific case. This requirement can be satisfied by the participation of one or more members through telephone or video conferencing.

Student and Related Rules – Schedule 2

[new text underlined, text to be deleted ~~stuck through~~]

SCHEDULE 2 — RELEVANT LEGISLATION

The following legislation, as amended, is relevant to various Sections of these Rules including the specific parts of the Rules indicated below:

Migration Act 1958 (Cwlth)

Student requirements — Rule 2.5.2

Education Services for Overseas Students Act 2000 (ESOS) (Cwlth)

Student requirements — Rule 2.5.2

Student requirements — Rule 2.2.4 Tax File Number (TFN)

~~*Child Protection (Prohibited Employment) Act 1998* (NSW)~~

~~*Commission for Children and Young People Act 1998* (NSW)~~

Legislative requirements — Rule 3.3

Higher Education Support Act 2003 (Cwlth)

Schedule 1 — Definitions: census date

Student requirements — Rule 2.2.3 Commonwealth Higher Education Student Support Number (CHESSN)

Privacy Act 1988 (Cwlth)

Student requirements — Rule 2.2.3 Commonwealth Higher Education Student Support Number (CHESSN)

Student requirements — Rule 2.2.4 Tax File Number (TFN)

Privacy and Personal Information Act 1998 (NSW)

Health Records and Information Privacy Act 2002 (NSW)

Disability Discrimination Act 1992 (Cwlth)

Special conditions for examinations and assessment — Sections 8 and 9

Student and Related Rules – Schedule 3 Results and Grades

[new text underlined]

Grade	Mark Range	<u>Grade Point Average</u>¹ <u>Score</u>	Descriptor
High Distinction	85–100	<u>4</u>	Work of outstanding quality on all objectives of the subject, which may be demonstrated by means of criticism, logical argument, interpretation of materials or use of methodology. This grade may also be given to recognise particular originality or creativity.
Distinction	75–84	<u>3</u>	Work of superior quality on all objectives, demonstrating a sound grasp of content, together with efficient organisation and selectivity.
Credit	65–74	<u>2</u>	Work of good quality showing more than satisfactory achievement on all objectives, or work of superior quality on most of the objectives.
Pass	50–64	<u>1</u>	Work showing a satisfactory achievement on the overall objectives of the subject.
Pass – Not Graded		<u>n/a</u> ²	Work showing a satisfactory achievement on the overall objectives of the subject.
Satisfactory		<u>n/a</u>	Awarded for projects or theses.
Fail (X)		0	Unsatisfactory performance in a compulsory component of the subject.
Fail	0–49	0	Unsatisfactory performance in one or more objectives of the subject as contained within the assessment items.
Other notations			
Industrial Experience		<u>n/a</u>	Professional Experience/Industrial Training. A number may appear next to this grade to indicate the level of Industrial Experience.
Withdrawn		<u>n/a</u>	Granted withdrawal from a subject without academic fail after the due date.
Withdrawn/ Fail		<u>n/a</u>	Withdrawn after the due date.
Result Pending		<u>n/a</u>	Result pending the completion of a project, clinical practicum or field excursion where the student has not completed assessment task(s) by the end of the teaching period.

Supp. Final Exam	45–49	<u>n/a</u>	Formal supplementary examination to be completed within a designated examination period before a grade can be awarded.
Result Withheld		<u>n/a</u>	Result withheld. The Assessment Ratification Committee may determine that supplementary assessments are required, or that alternative examiners and/or alternative assessments are required because of misadventure.

¹ The Grade Point Average is an internationally recognised measure of a student's academic achievement in a course. The Grade Point Average is the average of all grades achieved by a student in a course of study weighted by the credit point value of each subject approved by the Academic Board.

² not applicable

[END]