

RULE CHANGES APPROVED BY COUNCIL

Pursuant to the UTS By-law (Part 4, division 3, clause 44), the following rule changes made by UTS Council.

At its meeting 12/3 on 13 June 2012, Council resolved to approve amendments to the Rules as follows:

COU/12-3/49

.2 make the following amendments to the Student Rules as detailed in Attachment 1:

- (1) 2.3 Communication, as detailed in Part A of Attachment 1;
- (2) 3.3 Legislative requirements, as detailed in Part B of Attachment 1;
- (3) 4.5 Refund of tuition fees and charges, as detailed in Part C of Attachment 1;
- (4) 5.9 Readmission, as detailed in Part D of Attachment 1;
- (5) 7.6 Leave of absence, as detailed in Part E of Attachment 1;
- (6) 9.1 Examination timetables – scheduling difficulty, as detailed in Part F of Attachment 1;
- (7) 13.5 Rescission of award, as detailed in Part G of Attachment 1;
- (8) 17.4 Appeals Committee (Non-disclosure), as detailed in Part H of Attachment 1;
- (9) Schedule 1 Definitions and Schedule 5 Guidelines on Determining an Appropriate Penalty for Instances of Student Misconduct, as detailed in Part I of Attachment 1.

Attachment 1 details the approved amendments.

ATTACHMENT 1

(New text **bold and underlined** and deletions in ~~strikethrough~~.)

PART A

SECTION 2 — STUDENT REQUIREMENTS

2.3 Communication

2.3.1 Official University notices shall be displayed by the Registrar on the official noticeboard on the UTS website.

2.3.2 The UTS email address allocated to students at the time of first enrolment is an authoritative channel for specific official University communications with students, ~~as specified by the Registrar from time to time. If a student uses a different email address as his or her primary address it is the student's responsibility to arrange automatic forwarding of mail from the official UTS email address to the alternate email address.~~ **Email from the University to a student will only be sent to the student's UTS email address. Email sent from a student to the University must be sent from the student's UTS email address. University staff will not respond to email from any other email accounts for currently enrolled students.**

PART B

SECTION 3 — COURSE AND SUBJECT REQUIREMENTS

3.3 Legislative requirements

3.3.1 Special conditions may need to be specified in respect of certain courses offered by the University because of requirements of State or Commonwealth legislation (refer Schedule 2).

3.3.2 Where a course offered by the University requires students to undertake professional experience and practical training components that may involve direct contact with children under the age of eighteen, **and/or requires students to undertake professional experience and practical training components in NSW public health facilities**, the following conditions will apply:

- (1) all students admitted to these courses will be required to complete certain declarations and have certain personal information checked by Government authorities;
- (2) eligibility for commencement and continuing participation in these courses is determined on the basis of information obtained through these checks;

- (3) the provision of inaccurate or unsatisfactory information or refusal to undergo these checks can result in withdrawal of an offer of admission to that course and/or cancellation of enrolment in that course **by the Registrar.**

PART C

SECTION 4 — FEES, CHARGES AND OTHER FINANCIAL OBLIGATIONS

4.5 Refund of tuition fees and charges

4.5.1 Where a student withdraws from enrolment in a course or subjects the University may retain all or a proportion of fees paid by the student as a charge for cancellation of enrolment, and may impose different cancellation charges for different categories of students.

4.5.2 A student who wishes to request a refund of fees must apply in writing by the date specified by the Registrar.

4.5.3 Decisions relating to eligibility for a refund, the quantum of any refund and other related matters should be made in accordance with relevant legislation and regulations and with the University's Statement of Protocol on Refund of Fees as approved from time to time.

4.5.4 The Registrar (or nominee) has authority to approve a refund of fees and charges.

PART D

SECTION 5 — ADMISSION

5.9 Readmission

5.9.1 A former student who has:

- (1) discontinued enrolment in a course in accordance with Rule 7.8 or Rule 11.20.1; or
- (2) had enrolment in a course discontinued in accordance with Rule **3.3, 3.4**, 7.8 or Rule 11.20.2(1); or
- (3) been excluded from a course for a set period in accordance with Rule **3.4**, 10.4.1 or Rule 16.3.1(4); or
- (4) had enrolment in a course cancelled in accordance with Rule 4.4.2 (Failure to pay), Rule 2.2.4(3) (failure to provide Tax File Number), or Rule 5.6

(Withdrawal of offer of admission and cancellation of admission or enrolment);

and who wishes subsequently to undertake further study at the University, whether in the same course or a different course, must meet the general requirements for admission as specified in Rule 5.7.1 above, and apply for admission in accordance with standard admissions procedures.

- 5.9.2 Readmission to a course is not automatic.
- 5.9.3 An application for readmission from a former student who has previously been excluded or had enrolment discontinued due to failure to maintain satisfactory academic progress, must be submitted in accordance with standard admission timeframes that apply for commencement of study after the specified period of exclusion or discontinuation has elapsed.
- 5.9.4 A former student who has been excluded from further study at the University for a set period of time **under Rules 3.4, 5.6, 10.4, 10.6 or 16.3** ~~as a penalty for misconduct~~ and who subsequently wishes to undertake further study at the University, whether in the same or a different course:
- (1) must show cause by providing a statement and additional documentation to demonstrate why they should be considered for admission to a course at the University; and
 - (2) may have conditions relating to his or her future conduct at the University set by the Vice-Chancellor and will be required to satisfy those conditions once readmitted to the course.
- 5.9.5 Where a student is readmitted to a course in which he or she has been enrolled previously the Responsible Academic Officer shall determine the maximum period of time for completion of the course by the student.
- 5.9.6 In cases where an application for readmission has been declined, the applicant may request review of that decision by the Senior Deputy Vice-Chancellor.

PART E

SECTION 7 — ENROLMENT

7.6 Leave of absence

- 7.6.1 Leave of absence requirements for graduate research students are provided for in Section 11 (Graduate Research Study).
- 7.6.2 An undergraduate or graduate coursework student **who has been continuously enrolled for at least one teaching period** who wishes to withdraw temporarily

from a course must lodge an application for leave of absence on the appropriate form and in accordance with procedures prescribed by the Registrar.

- 7.6.3 Applications for leave of absence are normally made prior to the start of the first teaching period for which leave is being sought and must be received no later than the census date for the teaching period (refer Rule 7.5.2).
- 7.6.4 Leave of absence will not normally be granted unless the student **has enrolled** and completed satisfactorily the requirements of at least one subject of the course, **this includes students admitted to a course through a course transfer or with credit recognition.**
- 7.6.5 In exceptional circumstances, on the basis of documentary evidence provided by a student, the relevant Responsible Academic Officer may approve leave of absence for a student who is enrolled in their first teaching period in a course. In all other cases, students in their first teaching period of enrolment in a course must either continue their enrolment or withdraw from the course and reapply for admission. Readmission is not automatic and the student must apply for admission in accordance with standard admission procedures.**
- 7.6.56 Leave of absence from enrolment in a specific course shall not normally be granted for a total period exceeding two (2) years.
- 7.6.67 A student resuming a course after a period of approved leave of absence shall be subject to the course requirements in operation at the time of resumption of study and will be required to re-enrol as directed by the Registrar.

PART F

SECTION 9 — EXAMINATION OF COURSEWORK SUBJECTS

9.1 Examination timetables

- 9.1.5 (1) Where a student considers that he or she has a serious individual scheduling difficulty with the 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 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
 - (d) work commitments.**

PART G

13.5 Rescission of award

13.5.1 In exceptional circumstances, the University may rescind the conferral of an award, including but not limited to situations where:

- (1) the University Student Conduct Committee has determined that rescission of an award is an appropriate penalty as provided for in Rule 16.3.1(1); or
- (2) significant fraudulent or deceitful activities have been identified and proven subsequent to the conferral of the award and which, had they been known at the time of conferral of the award, would have led to a decision not to confer the award; or
- (3) administrative error has resulted in incorrect conferral of an award.

13.5.4 In the case of 13.5.1(3) above:

- (1) the student will be advised of the proposed corrective action and any relevant consequences and will be given the opportunity to comment on these prior to ~~a recommendation being made to Academic Board~~ **rescission of an award** under 13.5.4(2) below;
- (2) the Registrar **(or nominee) has authority to rescind an award where an administrative error has occurred and must** ~~will report the matter to Academic Board for recommendation to Council that the appropriate~~

~~corrective action be taken~~ **provide a report to Council via Academic Board every half year on awards rescinded.**

13.5.5 The Registrar may provide information on a decision to rescind an award and reasons for the decision to any other person who has a legitimate reason for having access to such information and in accordance with the provisions of the University Policy on Management and Protection of Personal Student Information.

PART H

SECTION 17 — APPEALS COMMITTEES OF ACADEMIC BOARD

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, nominated by the 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 persons in categories (a) and (b) above when the Committee is required to meet.
- (4) Nomination of Committee members shall be made by the Dean of each Faculty.
- (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.

17.4.2 Terms of reference

An Appeals Committee (Non-disclosure) shall make determinations on appeals against withdrawal of offer and cancellation of enrolment, pursuant to Rule ~~5.6.2~~ **5.6.4**

PART I

SCHEDULES

SCHEDULE 1 — DEFINITIONS

debt to the University means failure to pay all fees, charges, financial obligations and any other specified amount imposed and/or required by the University to be paid by the due date for payment.

SCHEDULE 5 — GUIDELINES ON DETERMINING AN APPROPRIATE PENALTY FOR INSTANCES OF STUDENT MISCONDUCT

10. Records of misconduct on transcripts

For suspensions and exclusions from a course or from the University **the** official academic ~~records~~ **transcript** shows the period of suspension or exclusion.

A penalty of zero mark for a subject is shown on official academic records in the same way as other results.

All other penalties are recorded on the student system as internal comments and will only be shown on internal academic records.

In cases where an appeal against suspension, exclusion, or zero mark is lodged, the external academic transcript will show 'appeal pending' under the relevant course and teaching.