

APPROVED RULE CHANGES

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

At its 16/3 meeting on 15 June 2016, Council approved the following amendment to the Student Rules:

“COU/16-3/62

Council resolved to:

[...]

- .2 approve amendments to Student Rules, as detailed in Attachment 2 of Document 6.2 – *Report from Academic Board;*”

The approved amendments are detailed below.

UTS Student Rules

[new text **bold underlined**, text to be deleted in ~~**bold and strikethrough**~~]

3.4 Professional experience requirements

.....

3.4.6 Where the deferral of a student’s participation in any part of the required professional experience would have the effect of preventing the student from continuing his or her course the Responsible Academic Officer, with the agreement of the Dean, will refer the matter, with an appropriate recommendation, to the Deputy Vice-Chancellor (Education and Students), who will take action and make a decision as deemed appropriate. A decision may be made that a student is unsuited for further professional experience and his or her enrolment will be withdrawn.

The withdrawal of a student’s enrolment will take effect from the later of the following:

(a) where a student does not lodge an appeal under Rule 3.4.8 – the date on which the deadline to lodge the appeal passed (taking into account any extensions granted under Rule 3.4.10); or

(b) where a student lodges, but subsequently withdraws an appeal under Rule 3.4.11 – the date on which the appeal was withdrawn; or

(c) where an appeal lodged by a student is referred to the Professional Experience Appeals Committee under Rule 3.4.13 and the Committee dismisses the appeal under Rule 17.7.2(4) – the date on which the student is notified of the Committee’s decision.

3.4.7 The Deputy Vice-Chancellor (Education and Students) must notify the student in writing of any decision he or she makes within three working days of making it.

3.4.8 A student may appeal to the Professional Experience Appeals Committee against any decision made by the Deputy Vice-Chancellor (Education and Students) pursuant to Rule 3.4.6 (refer Rules 3.4.9 to 3.4.~~12~~**15**).

3.4.9 An appeal must be in writing, specify and substantiate the grounds of the appeal (**refer Rule 3.4.12**) and be lodged with the Director, Governance Support Unit within 20 working days of the date of notification after the decision.

3.4.10 A student may request an extension of time in which to lodge an appeal under Rule 3.4.8. The request must be made in writing to the Director, Governance Support Unit within 15 working days of the date on which the student was notified of the decision of the Deputy Vice-Chancellor (Education and Students). The decision to grant an extension, and the length of the extension, is at the discretion of the Director, Governance Support Unit.

3.4.11 At any stage of the appeal process, a student may withdraw their appeal by advising the Director, Governance Support Unit in writing.

3.4.~~10-12~~ The grounds for appeal are:

- (1) procedural irregularities in the decision-making process of a type and to an extent that are likely to have had a significant negative impact on the decision;
- (2) 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, of a type and to an extent that 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.

~~3.4.11 The Director, Governance Support Unit shall refer the appeal to the Deputy Vice-Chancellor (Education and Students) for any written comment that the Deputy Vice-Chancellor (Education and Students) wishes to make. The Deputy Vice-Chancellor (Education and Students) may seek advice from the relevant Dean and other relevant members of staff. The Deputy Vice-Chancellor (Education and Students) will then forward his or her comments, and the advice received, to the Director, Governance Support Unit.~~

~~3.4.12 The Director, Governance Support Unit shall then notify the student in writing of the Deputy Vice-Chancellor's (Education and Students) comments for the student to provide a written response. The student's response must reach the Director, Governance Support Unit within 10 working days of the date of notification.~~

3.13 The Director, Governance Support Unit ~~shall~~**will** then refer the student's appeal, ~~the Deputy Vice-Chancellor's (Education and Students) comments and the student's response~~ to the

Professional Experience Appeals Committee, constituted under [Rule 17.3](#), for consideration and decision. **The student will be given the opportunity to address the Committee in person.**

3.4.14 Where the Professional Experience Appeals Committee dismisses an appeal lodged by a student under Rule 3.4.8, the student's enrolment will be withdrawn.

3.4.15 Where the Professional Experience Appeals Committee upholds, in full or in part, an appeal lodged by a student under Rule 3.4.8, the faculty will contact the student to advise the next steps with respect to the student's enrolment.

[...]

Section 17 — Appeals Committees of Academic Board

17.3 Professional Experience Appeals Committee

17.3.1 Composition

(1) A Professional Experience Appeals Committee ~~shall will~~ consist of **four members**:

(a) **an academic staff member as** Chair/Deputy Chair, appointed by the Chair of Academic Board **for a period of two years**;

(b) two academic staff members, with experience in the placement and administration of professional experience students, ~~nominated by the Deans under Rule 17.3.1(4)~~;

(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, ~~nominated by the Deans under Rule 17.3.1(4)~~.

(2) From time to time, Deans of faculties that have a substantial number of students in courses with professional experience requirements will be requested to nominate persons in categories (b) and (c) above, to comprise a panel of persons who may be appointed to serve on a Professional Experience Appeals Committee.

(3) Academic Board will from time to time approve persons nominated by the Deans in accordance with Rule 17.3.1(2) to join the panel of persons who may be appointed to serve on a Professional Experience Appeals Committee as constituted in accordance with Rule 17.3.1(5).

(4) The term of office for a panel member approved under Rule 17.3.1(3) will continue until such time as the member resigns his or her membership, or ceases to be eligible for membership under Rule 17.3.1(1).

~~(25) When an appeal is lodged, the Chair, Academic Board, in consultation with the Provost, shall constitute a Professional Experience Appeals Committee as required in Rule 17.3.1(1) from staff nominated by the Deans of each faculty (refer Rule 17.3.1(4))~~ **will appoint three persons from the panel of persons approved under Rule 17.3.1(2) to constitute a committee as required under Rule 17.3.1(1). Committee members, including**

the Chair, will not be from the same faculty as the appellant. If the Chair is from the same faculty as the appellant, the Deputy Chair will act as Chair of the meeting at which the appellant's case is being heard. If the Deputy Chair is from the same faculty as the appellant, the Chair, Academic Board will appoint another academic staff member as acting Chair. In the event that the Chair and Deputy Chair are on leave, a temporary Chair/Deputy Chair will be appointed by the Chair, Academic Board. These temporary appointments may be for a specified period, or a specified appeal hearing, at the discretion of the Chair, Academic Board.

(6) With respect to Rule 17.3.1(5), if the Chair, Academic Board is from the same faculty as the appellant, the Deputy Chair, Academic Board or the University Secretary will constitute the committee.

~~(3) The Chair, Academic Board shall appoint persons in categories (a), (b) and (c) when the committee is required to meet.~~

~~(4) Nomination of committee members shall be made by the Dean of each faculty which has a substantial number of students in courses with professional experience requirements.~~

(57) 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.

(68) 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 of students **in placements undertaking professional experience.**