

APPROVED RULE CHANGES

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

At its 18/4 meeting on 15 April August, Council approved the following amendments to the UTS Rules:

COU/18-4/79

5.4 Report from Academic Board

Council resolved to:

...

- .2 approve the amendments to Student Rules 5.6 and 5.7 related to admission as detailed in **Attachment 1** of Document 5.4;
- .3 approve the amendment to Student Rule 9.1 related to examination of coursework subject as detailed in **Attachment 2** of Document 5.4;
- .4 approve the amendments to the Student Rules related to student misconduct and appeals (Section 16, Schedule 4 and Schedule G2) as detailed in **Attachment 3, Part A of Attachment 3** and **Part B of Attachment 3**;
- .5 approve the amendments to Student Rules 5.6.5 and 17 ((including renaming the Appeals Committee (Non-Disclosure) to Admissions Non-disclosure Appeals Committee), as detailed in **Attachment 4** of Document 5.4;
- .6 approve amendments to Student Rule 11.24.14 related to Graduate Research Students' Appeals Committee as detailed in **Attachment 5** of Document 5.4;
- ...
- .8 approve the amendments to the UTS General Rules (G3 and G4) as detailed in **Attachment 7** of Document 5.4;
- .9 approve the amendments to Student Rules Section 13 — Awards and Graduation as detailed in **Attachment 8** of Document 5.4;
- ...

THE APPROVED AMENDMENTS TO THE UTS RULES ARE PROVIDED BELOW:

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

STUDENT RULES

Section 5 — Admission

5.6 Refusal of application, withdrawal of offer of admission and cancellation of admission or enrolment

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

(1) an applicant does not provide information required by the University within the time specified by the University; or

(2) an applicant has not provided true, accurate and complete information, including but not limited to:

(a) full details of all previous academic information and study and personal information as required on the application form; or

(b) full details of proof of identity and citizenship status as required on the application form; **or**

(c) full disclosure of prior misconduct proceedings or findings at any tertiary institution or police convictions.

(3) an applicant, who has been granted a 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; **or**

(4) a student, who has been readmitted to a course with conditions relating to his or her future conduct at the University set by the Vice-Chancellor (or nominee), fails to satisfy those conditions; or

(5) the University is not satisfied that an applicant or student meets the Genuine Temporary Entrant and/or Genuine Student requirements set by the Department of Immigration and Border Protection; or

(6) the University considers in its absolute discretion that an applicant's or student's admission or a student's continued enrolment in a subject or course would be in breach of, or would risk being in breach of, any legislation.

5.6.2 Written notification of any such refusal, withdrawal or cancellation will be sent to relevant applicants or students by the Director, Student Administration Unit (or nominee).

5.6.3 An applicant or student whose application was refused, whose offer was withdrawn, or whose admission or enrolment was cancelled under Rule 5.6.1 **shall will** be excluded from applying for admission to the University for a period of **one academic year no less than one academic year** and may not apply for or enrol in any subjects or courses at the University during the period of exclusion.

5.6.4 An applicant or student may reapply for further study at the end of the period of exclusion in accordance with Rule 5.9.

5.6.5 Appeal

(1) An appeal may be lodged by an applicant for admission against decisions made under Rule 5.6.1(2) 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 Director, Student Administration Unit within 20 working days of the date of notification.

(3) A student may request the Director, Student Administration Unit to consider an extension of time to submit an appeal against decisions made under Rule 5.6.1(2). Except in exceptional circumstances, any such request must be received within 15 working days of the date of official notification.

(34) The grounds for appeal are:

(a) procedural irregularities of a type and to an extent that are likely to have had a significant negative impact on the decision; and/or

(b) mitigating circumstances, supported by documentary evidence, which directly and significantly affected the applicant's ability to provide complete and true information.

(45) The Director, Student Administration Unit shall refer the appeal to the Responsible Academic Officer. The Responsible Academic Officer may seek advice from relevant members of staff. The Responsible Academic Officer shall then forward his or her recommendation, and the advice received, to the Director, Student Administration Unit.

(56) If the recommendation of the Responsible Academic Officer is that the appeal be upheld, the refused offer of admission and/or cancelled admission and/or enrolment will be reinstated and the applicant will be advised of this by the Director, Student Administration Unit. If the recommendation is to dismiss the appeal, the Director, Student Administration Unit shall refer the appeal to an **Appeals Committee (Non-disclosure) Admissions Non-disclosure Appeals Committee**, constituted under Rule 17.4, for consideration and decision.

5.7 Requirements for admission

5.7.1 To be eligible for admission to a course an applicant for admission:

(1) must satisfy the general requirements for admission to that course as prescribed in the Admissions Policy;

(2) must satisfy the language requirements if applicable for that course as prescribed in the Admissions Policy;

(3) must satisfy the University that he or she meets the Genuine Temporary Entrant and/or Genuine Student requirements set by the relevant Commonwealth Government department; and

(4) must comply with all legislative requirements;

(5) may also be required to satisfy other specific requirements for the particular course (refer Rule 5.8);

(6) must not have any debts owed to the University;

(7) must satisfy the readmission requirements of Rule 5.9 where the student or applicant is a former student of the University; and

(8) must, where applicable, satisfy any reasonable concerns that the University may have in relation to any exclusion from the University or other tertiary institution (refer Rules 5.2.3, 5.2.4, **5.6.1** and 5.9.3).

5.7.2 Applications for admission may be refused where the University is not satisfied that the requirements for admission in this Rule 5.7 have been met.

5.7.3 Notwithstanding Rules 5.7.1(1), 5.7.1(2), 5.7.1(5), 5.7.1(7), 5.7.1(8) and 5.8, Academic Board may approve admission for any applicant who, in the opinion of the Board, has reached an acceptable standard. For avoidance of doubt, Academic Board may not approve an applicant for admission who fails to satisfy the requirements of Rules 5.7.1(3), 5.7.1(4) or 5.7.1(6).

Section 8

[...]

8.7.3 Committee determination

(1) If the committee finds procedural irregularities in the determination of the final assessment result for a subject as provided for in Rule 8.6.1, the findings and the student's application are to be referred to the relevant Subject Coordinator and Responsible Academic Officer to be handled in accordance with the Rules and **Policy and Procedures for the Assessment of Coursework** ~~Subjects Coursework Assessments Policy and Procedures~~ as approved by Academic Board from time to time.

Section 9 — Examination of coursework subjects

9.1 Examination timetables

[...]

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

- (a) three examinations occurring in any 24-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 for which the student can provide documentary evidence which satisfies the Director, Student Administration Unit or Subject Coordinator that the commitment could not be undertaken outside the examination period;

(e) significant professional or service commitments for which the student can provide documentary evidence which satisfies the Director, Student Administration Unit or Subject Coordinator that the commitment could not be undertaken outside the examination period;

(f) UTS representative commitments as approved by the faculty and Student Administration Unit: Examinations and Assessments.

[...]

9.3 Conduct of examinations

9.3.1 Centrally conducted examinations are organised and conducted in accordance with Rules 9.1 to 9.6 inclusive and with policies and procedures set out in the ~~Policy and Procedures for the Assessment of Coursework Subjects~~ **Coursework Assessments Policy and Procedures** as approved by Academic Board from time to time.

9.3.2 Unless otherwise specifically provided for in guidelines approved by the relevant Faculty Board, faculty-based examinations will be organised and conducted in accordance with Rules 9.1 to 9.6 inclusive and with policies and procedures as set out in the ~~Policy and Procedures for the Assessment of Coursework Subjects~~ **Coursework Assessments Policy and Procedures** as approved by Academic Board from time to time.

Section 11 — Graduate research

[...]

11.11.4 All members of supervisory panels shall operate in accordance with the ~~Code of Practice for Supervisors and Research Degree Students~~ **Graduate Research and Supervision Policy**.

[...]

11.20 Examination of thesis

[...]

11.20.7 The reports of the examiners shall be forwarded to the ~~Dean, Chair of~~ Graduate Research School **Board** who shall consult the Responsible Academic Officer and may decide, **on behalf of Graduate Research School Board, upon advice of Director, Student Administration Unit, and in accordance with the Statement of Assurance — Conferral of Awards, to recommend to Academic Board:**

(1) ~~to recommend to the Graduate Research School Board and Academic Board~~ that the student has satisfied requirements for the award of the degree; or

(2) ~~to recommend to the Graduate Research School Board and Academic Board~~ that, subject to minor changes being made to the thesis as required in Rule 11.20.8, the student has satisfied requirements for the award of the degree; or

[...]

11.24 Appeal against discontinuation of candidature

[...]

11.24.14 The Dean, Graduate Research School will refer the letter of discontinuation and its supporting material, the student's appeal, the Responsible Academic Officer's recommendation and the student's response to the Graduate Research Students' Appeals Committee, constituted under Rule 17.2, for consideration and decision. The student's complete file will be available to the Graduate Research Students' Appeals Committee at the meeting, and before the meeting, it will be available to Committee members upon request. The student may view his or her complete file at any time upon request.

[...]

Section 12 — Higher Doctoral degree requirements

[...]

12.2 Requirements for award

12.2.1 Any of the degrees referred to in Rule 12.1.1 may be conferred by ~~Council Academic Board~~ on a candidate who has to the satisfaction of ~~Academic Board the Chair of Graduate Research School Board (acting on behalf of Graduate Research School Board)~~, made a significant original contribution to a field of knowledge and whose scholarly works exhibit, among other things, a level of originality and creativity which marks them as a major authority in his or her field.

[...]

12.6 Examination of works

[...]

12.6.3 In consultation with the Dean of the relevant faculty, the ~~Dean, Chair of Graduate Research School Board~~ shall consider the reports of the examiners; and, on behalf of Graduate Research School Board, shall formulate a recommendation to ~~the Graduate Research School Board Academic Board, upon advice of Director, Student Administration Unit, and in accordance with the Statement of Assurance — Conferral of Awards (PDF)~~, that:

(1) the candidate has satisfied requirements for the award of the degree as specified in Rule 12.2; or

(2) the candidate has not satisfied requirements for the award of the degree.

~~12.6.4 The Graduate Research School Board shall consider the recommendation of the Dean, Graduate Research School and:~~

~~(1) recommend to Academic Board that the candidate has satisfied the requirements for the award as specified in Rule 12.2; or~~

~~(2) determine that the candidate has not satisfied requirements for the award of the degree.~~

12.6.54 The candidate shall be advised by the Dean, Chair of Graduate Research School Board of ~~the Graduate Research School Board~~ Academic Board's action under Rule 12.6.43.

[...]

Section 13 — Awards and graduation

[...]

13.2 Completion of requirements

13.2.1 Coursework

[...]

(2) Upon advice of Director, Student Administration Unit, the relevant Chair of Faculty Board, acting on behalf of the Faculty Board, shall confirm that those coursework students who have satisfied the approved course requirements have completed the course, and shall notify Academic Board of the names of all such coursework students and recommend to Academic Board that those coursework students are eligible to graduate, in accordance with the Statement of Assurance — Conferral of Awards (PDF).

[...]

13.2.2 Graduate research

[...]

(3) ~~the~~ Chair of Graduate Research School Board, acting on behalf of Graduate Research School Board, shall ~~notify and~~ recommend to Academic Board, upon advice of the Director, Student Administration Unit, that the process outlined in the Statement of Assurance — Conferral of Awards (PDF) has been followed, and the resulting those graduate research students, so notified who have satisfactorily having completed course requirements in accordance with Rule 13.2.2(1) and (2) satisfactorily are eligible to graduate are considered eligible to graduate.

[...]

13.3 Eligibility to graduate

13.3.1 The Director, Student Administration Unit Academic Board shall ~~recommend~~ provide advice to the relevant Chair of Faculty Board acting on

behalf of the Faculty Board, Council for recommending to Academic Board, that the process outlined in the Statement of Assurance — Conferral of Awards (PDF) has been followed, and the resulting the conferral of awards upon those coursework students who have satisfactorily completed course requirements in accordance with Rule 13.2.1 and are considered eligible to graduate.

13.3.2 Upon advice of the Director, Student Administration Unit, the Chair of Graduate Research School Board, acting on behalf of the Graduate Research School Board, shall recommend to Academic Board, the conferral of awards upon those graduate research students who have satisfactorily completed course requirements in accordance with Rule 13.2.2 and are considered eligible to graduate.

13.3.23 Notwithstanding Rule 13.3.1 **and 13.3.2**, the Provost (or nominee) may determine that a student who has completed course requirements in accordance with Rule 13.2 is not eligible to graduate in particular circumstances including but not limited to:

[...]

13.4 Conferral of award

13.4.1 Degree, Diploma and other award courses of the University are conferred by a resolution of **Council-Academic Board**.

[...]

13.5 Rescission of award

13.5.1 In exceptional circumstances, **Council-Academic Board** may rescind the conferral of an award, including but not limited to situations where:

[...]

13.5.2 Where Rule 13.5.1(1) applies:

[...]

(2) the Director, Governance Support Unit will notify Academic Board and Council of the decision to rescind the award if no appeal is lodged or the original decision of the Vice-Chancellor (or nominee) to rescind the award is upheld;

[...]

13.5.5 The Director, Governance Support Unit 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 **Privacy and Protection of Personal Information Vice-Chancellor's Directive Privacy Policy**.

Section 16 — Student misconduct and appeals

[...]

16.3 Penalties

16.3.1 The penalty or penalties for student misconduct may be one or more of the following:

[...]

(2) revocation of a recommendation to Academic Board ~~or Council~~ that a student has satisfied the requirements for an award, effective for a period of up to 12 months;

[...]

(8) imposing conditions on enrolment and participation in specified subjects for a specified period not exceeding 12 months, in which case if there is a further act of misconduct during the specified period the Vice-Chancellor, the ~~or~~ Vice-Chancellor's nominee **or the Director, Governance Support Unit** shall refer the matter to the University Student Conduct Committee for a recommendation on the imposition of a more severe penalty;

[...]

16.3.3 The operation of a penalty may be:

(1) deferred by the person imposing the penalty for a period that will not normally exceed two years, but may in appropriate cases continue for the duration of a student's enrolment. During the period in which a penalty is deferred, as a condition of continued enrolment, the student must comply with any conditions prescribed by the Vice-Chancellor, the ~~or~~ Vice-Chancellor's nominee **or the Director, Governance Support Unit**.

16.4 Designation

16.4.1 The Vice-Chancellor may at any time designate a nominee including the Provost or a Deputy Vice-Chancellor with appropriate portfolio responsibilities, to exercise all or part of the Vice-Chancellor's powers, duties and responsibilities under this section of the Rules.

16.4.2 ~~The Vice-Chancellor must advise Council of any such designation. If the Vice-Chancellor's nominee is not available or declares a conflict of interest, then the provisions for Senior Executive alternates in the Delegations (Schedule G2) apply.~~

[...]

16.5 Procedural fairness

[...]

16.5.3 A student or an officer of the University including the Vice-Chancellor or Vice-Chancellor's nominee, the Director, Governance Support Unit, Responsible Academic Officer or member of a Conduct Committee must not hear or determine an

allegation of student misconduct if he or she is personally involved in any aspect of the allegation.

16.5.4 For the purposes of Rule 16.5.3, a student or an officer of the University is not personally involved in any aspect of an allegation by reason only of the fact that he or she hears or deals with the allegation under these Rules.

16.5.5 In the event that the Vice-Chancellor or Vice-Chancellor's nominee, **the Director, Governance Support Unit**, a Responsible Academic Officer, or a member of a Conduct Committee believes that his or her involvement in a matter would lead to a conflict of interest, he or she must consult with the Director, Governance Support Unit. The Director, Governance Support Unit will determine an appropriate person to deal with the matter. **In the event that the Director, Governance Support Unit believes that his or her involvement in determining a matter (under Rule 16.12.6A) would lead to a conflict of interest, the matter will be dealt with by the Vice-Chancellor or Vice-Chancellor's nominee.**

[...]

16.12 Allegations referred to the Director, Governance Support Unit

[...]

16.12.6A Where the student admits the allegation, **the Director, Governance Support Unit will impose one or more penalties in accordance with the Vice-Chancellor or Vice-Chancellor's nominee approved precedent penalties (refer Schedule 4 (section 2A)).**

16.12.6B If no Vice-Chancellor or Vice-Chancellor's nominee approved precedent penalty exists or the matter has been referred from a Responsible Academic Officer under Rule 16.11.3, the Director, Governance Support Unit must refer the matter to the Vice-Chancellor, or Vice-Chancellor's nominee who must:

- (1) where the Vice-Chancellor or Vice-Chancellor's nominee believes the misconduct could be sufficiently serious to warrant the penalty specified in Rules 16.3.1(1) to 16.3.1(6), refer the matter to a University Student Conduct Committee for recommendation as to the penalty or penalties it considers appropriate; or
- (2) impose one or more of the penalties set out in Rules 16.3.1(7) to 16.3.1(16), in accordance with the Guidelines on Determining an Appropriate Penalty for Instances of Student Misconduct (refer Schedule 4); or
- (3) impose no penalty because the Vice-Chancellor or Vice-Chancellor's nominee believes no penalty is warranted.

[...]

16.12.8 The Director, Governance Support Unit may, on behalf of the University, withdraw an allegation of misconduct at any stage.

[...]

16.13.1 Composition

(1) A University Student Conduct Committee will comprise four members:

- (a) a person ~~with a legal qualification~~ who may but need not be a member of the University staff, as the Chair of the committee; and

[...]

16.15 Basis for appeals

16.15.1 A student has a right of appeal to a Student Misconduct Appeals Committee in respect of a decision of the Vice-Chancellor, ~~the~~ ~~or~~ Vice-Chancellor's nominee ~~or~~ **the Director, Governance Support Unit** under Rules 16.12.6**B**(2) or 16.14 or of the Responsible Academic Officer under Rule 16.11.2.

16.15.2 An appeal must be in writing, must specify and substantiate the grounds of the appeal and be lodged with the Director, Governance Support Unit within 20 working days after notice of the decision is provided to the student.

16.15.3 The grounds on which a student may appeal against a decision of the Vice-Chancellor, ~~or~~ Vice-Chancellor's nominee, **Director, Governance Support Unit** or ~~of~~ a Responsible Academic Officer, in response to the findings or to the penalty or penalties imposed, are:

[...]

16.16.5 Procedures

(1) A Student Misconduct Appeals Committee will determine its own procedures consistent with these Rules, including Rules 16.5 and 16.16.3. This includes whether or not to hear all or any part of a matter afresh.

(2) Unless there are exceptional circumstances, a Student Misconduct Appeals Committee will not consider any material that has not first been considered by the Responsible Academic Officer, **the Director, Governance Support Unit**, or by the Vice-Chancellor or Vice-Chancellor's nominee and University Student Conduct Committee.

(3) If new evidence is presented to a Student Misconduct Appeals Committee, being evidence that was not initially considered by the Responsible Academic Officer, **the Director, Governance Support Unit**, or the Vice-Chancellor or Vice-Chancellor's nominee or the University Student Conduct Committee, the Student Misconduct Appeals Committee will refer the matter back for reconsideration in light of the new evidence.

[...]

16.16.7 Decision

(1) A Student Misconduct Appeals Committee may:

- (a) for any reason, refer a matter back to the Vice-Chancellor or Vice-Chancellor's nominee, **the Director, Governance Support Unit**,

Responsible Academic Officer or the University Student Conduct Committee as appropriate for further consideration and recommendations;

[...]

Section 17 — Appeals Committees of Academic Board

[...]

17.2 Graduate Research Students' Appeals Committee

17.2.1 Composition

- (1) A Graduate Research Students' Appeals Committee shall consist of:
 - (a) a Chair appointed from panel members ~~nominated by the Deans under (refer~~ Rule 17.2.1(2));
 - (b) two academic staff members with experience in supervision of graduate research students appointed from panel members ~~nominated by the Deans under (refer~~ Rule 17.2.1(2)); and
 - (c) a graduate research student of the University who has been enrolled at the University for at least one year, appointed from panel members ~~nominated by the Deans under (refer~~ Rule 17.2.1(2)).
- (2) ~~Appointment of p~~Panel members shall be **nominated** made by the Dean of each faculty and appointed by the Chair of Academic Board for a two-year term. Each Dean shall ~~appoint~~ nominate two academic staff members from his or her faculty with experience in the supervision of graduate research students (one for each of panels (a) and (b)) and one graduate research student from his or her faculty who has been enrolled for at least one year, for panel (c). **The Chair of Academic Board will approve the Deans' nominations.**
- (3) Panel members may be appointed for not more than three consecutive terms.
- (4) When an appeal is lodged, the Chair of Academic Board, in consultation with the Deputy Vice-Chancellor (Research), shall constitute a Graduate Research Students' Appeals Committee as required under Rule 17.2.1(1) from the panel members appointed ~~by the Deans under Rule 17.2.1(2)~~. To avoid conflicts of interest, no one from the appealing student's faculty shall sit on the committee and the principles outlined in Rule 17.2.1(6) will be followed. In the event that an appropriate Chair is not available from the panel, a temporary Chair will be appointed by the Chair of Academic Board. This temporary appointment may be for a specified period, or a specified appeal hearing, at the discretion of the Chair of Academic Board. If the Chair of Academic Board is from the same faculty as the appellant, the Deputy Chair of Academic Board or the University Secretary shall constitute the committee.

[...]

17.3 Professional Experience Appeals Committee

17.3.1 Composition

- (1) A Professional Experience Appeals Committee will consist of four members:
- (a) three academic staff members, with experience in the placement and administration of professional experience students, one of whom shall serve as the Committee's Chair; and
 - (b) 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.

(1A) Given the University's objectives with regard to embracing diversity, the panel should reflect a balance of genders where possible. Additionally, to foster objectivity and transparency, the panel should reflect a balance of faculties where possible.

(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 (a) and (b) above, **The Chair of Academic Board will from time to time approve persons nominated by the Deans to comprise a panel of persons who may be appointed to serve on a Professional Experience Appeals Committee, as constituted in accordance with Rule 17.3.1(4).**

~~(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~~2) 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).

~~(5)~~ When an appeal is lodged, the Chair, of Academic Board 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). The Chair, of Academic Board will also appoint a Committee Chair from amongst those three persons. Committee members, including the Chair, will not be from the same faculty as the appellant and the principles outlined in Rule 17.3.1(1A) will be followed, **where possible**. In the event that an appropriate Chair is not available from the panel, a temporary Chair will be appointed by the Chair, of Academic Board. This temporary appointment may be for a specified period, or a specified appeal hearing, at the discretion of the Chair, of Academic Board.

~~(6)~~ With respect to Rule 17.3.1(~~5~~4), if the Chair, of Academic Board is from the same faculty as the appellant, the Deputy Chair, of Academic Board or the University Secretary will constitute the committee.

~~(76)~~ 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.

~~(87)~~ 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 undertaking professional experience.

[...]

17.4 Appeals Committee (Non-disclosure) Admissions Non-disclosure Appeals Committee

17.4.1 Composition

(1) An **Appeals Committee (Non-disclosure) Admissions Non-disclosure Appeals Committee** shall consist of:

(a) the Chair, appointed from a panel **nominated by the Deans under (refer Rule 17.4.1(42))**;

(b) two academic staff members, with experience in admission procedures of the University, appointed from a panel **nominated by the Deans under (see Rule 17.4.1(42))**.

(2) Nomination of the panel members for Rule 17.4.1 shall be made by the Dean of each faculty, and appointment of panel members approved by the Chair of Academic Board.

~~(23)~~ When an appeal is lodged, the Chair, **of Academic Board**, in consultation with the Provost, shall constitute an **Appeals Committee (Non-disclosure) Admissions Non-disclosure Appeals Committee** as required in Rule 17.4.1(1).

~~(34)~~ The Chair, **of Academic Board** shall appoint persons in categories (a) and (b) when the committee is required to meet. **Committee members, including the Chair, will not be from the same faculty as the appellant and the principles outlined in Rule 17.4.1(6) will be followed. In the event that an appropriate Chair is not available from the panel, a temporary Chair will be appointed by the Chair of Academic Board. This temporary appointment may be for a specified period, or a specified appeal hearing, at the discretion of the Chair of Academic Board. If the Chair of Academic Board is from the same faculty as the appellant, the Deputy Chair of Academic Board or the University Secretary shall constitute the committee.**

~~(4) Nomination of committee members shall be made by the Dean of each faculty.~~

(5) All members of an ~~Appeals Committee (Non-disclosure)~~ **Admissions Non-disclosure 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.

[...]

17.4.2 Terms of reference

An ~~Appeals Committee (Non-disclosure)~~ **Admissions Non-disclosure Appeals Committee** shall make determinations on appeals against withdrawal of offer and cancellation of enrolment, pursuant to Rule 5.6.5.

17.5 Procedures for Appeals Committees

17.5.1 Appeals Committees of Academic Board shall be convened by the University Secretary as required in accordance with the relevant Standing Orders ~~of~~ for Academic Board.

17.5.2 Each appeal must be dealt with on its own terms and merits and in accordance with its own circumstances.

17.5.3 Academic Board shall approve sets of ~~procedural guidelines~~ procedures to be followed by the respective Appeals Committees established under Rules 17.2 to 17.4, and such ~~guidelines~~ procedures shall be subject to review by the Academic Board from time to time.

17.5.4 An Appeals Committee shall determine how to handle the matters before it, consistent with the ~~procedural guidelines~~ procedures that Academic Board has approved for it. In particular, an Appeals Committee is not bound by the rules of evidence and may inform itself on any matter relevant to its deliberations in a way that it considers to be efficacious and reliable, consistent with basic fairness to each appellant, and having regard to the academic standards of the University.

17.5.5 Senior administrative staff may assist Appeals Committees, act as advisers and attend meetings as required by the Chair-. These staff may include the Director, Student Administration Unit (or nominee), Director, Student Services Unit (or nominee), the Director, Graduate Research School (or nominee), or any other advisers nominated by the Chair of the committee having regard to the stated grounds for appeal. In providing assistance to an Appeals Committee, the members of staff shall confine their comments or contributions to the provision of factual information or technical or legal advice that is actually needed to assist the committee to deal with the matter or matters before it. They should not express any opinion about the appropriate outcome for individual cases or on the merits of any case. A note should be made of the substance of their advice and this should be kept with the official University file relating to the appeal in question.

[...]

17.8.2 The University Secretary may provide notice of the decision and reasons for it to any other person who has a legitimate reason for having access to such

information and in accordance with the provisions of the ~~Privacy and Protection of Personal Information Vice-Chancellor’s Directive~~ Privacy Policy.

Schedule 4 — Guidelines on Determining an Appropriate Penalty for Instances of Student Misconduct

These guidelines have been prepared to assist all those involved in recommending, imposing and reviewing penalties for instances of misconduct, including the Vice-Chancellor, Vice-Chancellor’s nominee, Director, Governance Support Unit, Responsible Academic Officers, University Student Conduct Committee, and Student Misconduct Appeals Committee.

The information contained in these guidelines may also be useful for academic and administrative staff dealing generally with cases of misconduct, as well as for any student subject to an allegation of misconduct.

The guidelines are structured as follows:

1. Principles
2. Scale of penalties
- 2A. Precedent penalties**
3. Issues specific to each type of penalty
- [...]

2. Scale of penalties

This scale provides a guide as to the normal, minimum and maximum penalties for specific cases of misconduct and the circumstances in which specific penalties are appropriate. This scale is not intended to be prescriptive and the Vice-Chancellor or Vice-Chancellor’s nominee, Director, Governance Support Unit, Responsible Academic Officers or committees may need to adjust the penalty in individual cases according to the circumstances of that particular case. The penalties are generally graded according to severity, although it should be noted that some penalties are only appropriate for specific types of misconduct (e.g. fines can only apply to some forms of misconduct).

Penalty	Rule	Examples of types of instances of misconduct
Revocation of a recommendation to Academic Board or the University Council that a student has satisfied the requirements for an award	16.3.1(2)	<ul style="list-style-type: none"> • fraud • major plagiarism or misconduct in a subject • that has been determined to have satisfied requirements for the relevant award • violent acts, sexual harassment, indecent • assault, sexual assault

[...]

2A. Precedent penalties

In accordance with Rule 16.12.6A, where a student admits the allegation, the following precedent penalties approved by the Vice-Chancellor or Vice-Chancellor's nominee will apply.

<u>Penalty</u>	<u>Rule</u>	<u>Examples of types of misconduct</u>
<u>Reprimand</u>	<u>16.3.1(16)</u>	<ul style="list-style-type: none">▪ <u>Assisting any other student to cheat by sharing their work with another UTS student (Rule 16.2.1(1)(b))</u>
<u>A zero for the assessment (first offence)</u>	<u>16.3.1(9)(b)</u>	<ul style="list-style-type: none">▪ <u>a student copies and/or reworks another UTS student's work (Rules 16.2.1(1)(a), 16.2.1(1)(d))</u>▪ <u>a student copies and/or reworks another UTS student's work and plagiarised material (Rules 16.2.1(1)(a), 16.2.1(1)(d), 16.2.1(4))</u>▪ <u>a student has access to unauthorised material or a mobile phone in an examination (Rules 16.2.1(a), 16.2.1(d), 16.2.1(3))</u>
<u>Fail subject and a reprimand (second offence or a more severe first offence as determined by the Director, Governance Support Unit)</u>	<u>16.3.1(9)(e), 16.3.1(16)</u>	<ul style="list-style-type: none">▪ <u>a student copies and/or reworks another UTS student's work (Rules 16.2.1(1)(a), 16.2.1(1)(d))</u>▪ <u>a student copies and/or reworks another UTS student's work and plagiarised material (Rules 16.2.1(1)(a), 16.2.1(1)(d), 16.2.1(4))</u>▪ <u>a student has access to unauthorised material or a mobile phone in an examination (Rules 16.2.1(a), 16.2.1(d), 16.2.1(3))</u>

[...]

4. Differential effects of penalties

When imposing penalties, it is important that each student's individual circumstances, stage of enrolment and any relevant mitigating factors are taken into account.

University Student Conduct Committees, Student Misconduct Appeals Committees, the Vice-Chancellor or Vice-Chancellor's nominee, **Director, Governance Support Unit** and Responsible Academic Officers may encourage students to make representation or submit evidence on the detrimental impacts of specific penalties in individual cases.

[...]

GENERAL RULES

G3 — Rules relating to Academic Board, Faculty Boards and Elections

Division 3 — Functions and powers of Academic Board

[...]

Advisory and reporting functions

12. (1) Without limiting the effect of Rule G3-11, Academic Board shall:

(a) report to, or advise Council or the Vice-Chancellor on, any aspect of:

(i) the goals, strategies, objectives, outcomes, principles, directions, priorities, policies, practices, profile and risk management for academic matters of the University;

(ii) the quality, standards and benchmarks appropriate to all aspects of the academic work of the University (including teaching, learning, scholarship, research training and research);

~~**(b) recommend to Council those students who, having satisfied all academic requirements for an Academic Board approved award course, are considered eligible to graduate;**~~

~~**(cb)**~~ confirm to Council that delegations of academic authority are implemented, based upon the University Secretary's annual review of the delegations.

Approval and monitoring functions

12. (2) Without limiting the effect of Rule G3-11, Academic Board shall:

(a) upon recommendation of the Chair of Faculty Board (acting on behalf of the Faculty Board) for coursework, and Chair of Graduate Research School Board (acting on behalf of Graduate Research School Board) for graduate research, approve those students who are considered eligible to graduate, having completed approved course requirements satisfactorily noting:

(i) the Chair of Faculty Board and Chair of Graduate Research School Board shall make such recommendation to Academic Board upon the advice of Director, Student Administration Unit;

(ii) the Statement of Assurance — Conferral of Awards (PDF), as prepared by the University Secretary, under which proposals for conferrals of awards will be recommended to Academic Board for approval;

- (ab) determine the accreditation of proposed or existing award courses on their academic merit, and the removal of the accreditation of award courses;
- (bc) develop, monitor and review academic policies and their effectiveness;
- (cd) determine the standards and benchmarks for governing all aspects of academic administration, including, but not limited to, the admission of students and the examination and assessment of students' work;
- (de) determine the structures and functions of Faculty Boards, and any subsequent amendments to these, noting that a Faculty Board's authority to act on specific matters will continue to require Council's delegated authority.
- (ef) undertake initiatives to oversee academic and research integrity and its breaches thereof, including identification, management, mitigation and monitoring of its potential risks.

G4 — The seal, the University emblem and the stamp

2. Use of seal

- (1) The seal of the University is to be fixed:
 - (a) to documents which are required by law or for ceremonial purposes to be under seal;
 - (b) to the testamurs or certificates issued to a person as evidence that an award has been conferred on that person by **Council Academic Board**; and
 - (c) to such other documents as Council approves.

Schedule G2

2.2 Approved Senior Executive alternates

Members of the UTS Senior Executive act for other members in their absence on urgent matters, as indicated below.

Executive member	Delegations (Refer to Delegations Schedule on Staff Connect or Public website)	First alternate	Second alternate
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[...]

Deputy Vice-Chancellor (Education and Students)	1.2, 1.7 (expenditure and revenue) 2.1, 2.5 (staff recruitment and appointment and relieving appointments) 1.1, 2.6 (travel and leave) <u>4.12 (student misconduct)</u>	Deputy Vice-Chancellor (Research)	Deputy Vice-Chancellor (International)
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