

RULE CHANGES APPROVED BY COUNCIL

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

At its meeting 10/5 on 18 August 2010, Council resolved to approve amendments to the Rules as follows:

COU/10-5/72

Council resolved to:

- .5 approve the following changes to the student and related rules with immediate effect:
 - i) Rule 4.4.2 (7) Failure to pay, as detailed in attachment 1;
 - ii) Rule 16.3.1(7) Penalties, as detailed in attachment 2;
 - iii) Schedule 1 Definitions, as detailed in attachment 3;
 - iv) Schedule 5 Guidelines on Determining an Appropriate Penalty for Instances of Student Misconduct, as detailed in attachment 4.

Attachment 1 (resolution (i) above)

Student Rules – Rule 4.4 Failure to pay

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

SECTION 4 — FEES, CHARGES AND OTHER FINANCIAL OBLIGATIONS

4.4 Failure to pay

4.4.1 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 will be deemed to be a debt to the University.

4.4.2 If a student has not paid all due fees, charges, financial obligations, debts and any other specified amount by the due date for payment or has not been granted an extension of time to pay in accordance with Rule 4.2.4, the Registrar may, or when required by Commonwealth legislation must:

- (1) require the student to pay a penalty for late payment; or
- (2) take steps to initiate debt recovery action; or
- (3) exclude the student from any examination; or

- (4) exclude the student from any class; or
- (5) exclude the student from the University Library or any other facility of the University;
or
- (6) withhold from the student the results of any examination or other assessment; or
- (7) withhold from the student the student's official academic ~~transcript~~ records; or
- (8) withhold eligibility for the conferral of an academic award; or
- (9) cancel the student's enrolment in a course; or
- (10) do any combination of those things until the indebtedness has been discharged or the repayments or payments made or alternative arrangements have been made to the satisfaction of the Registrar.

Attachment 2 (resolution (ii) above)

Student Rules – Rule 16.3 Penalties

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

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:

- (7) withholding of academic results for the relevant teaching period, and/or of ~~an academic transcript~~ official academic records, including deferral or withdrawal of permission to graduate, for a specified period not exceeding twelve (12) months;

Attachment 3 (resolution (iii) above)

Student Rules – Schedule 1 Definitions

[new text underlined]

SCHEDULES

SCHEDULE 1 — DEFINITIONS

academic transcript means the official University printed document that provides an accurate statement of the official information held by the University and which satisfies the University's responsibilities to the student and other third parties (including other universities) for adequate and appropriate representation of relevant information about a student's academic and academic-related activities at the University. (Also see official academic record)

Australian Higher Education Graduation Statement means the official University printed document that provides an accurate description of the official information held by the University about the nature, level, context and status of the studies that were pursued and completed by a student in a course as well as information, as approved from time to time by the relevant Commonwealth Government department, about the Australian Higher Education System. (Also see official academic record)

official academic record includes the UTS academic transcript, the UTS Australian Higher Education Graduation Statement, and the UTS testamur. (Also see: academic transcript; Australian Higher Education Graduation Statement, testamur)

testamur means the official certificate of the University that attests to a particular person having satisfied the requirements for and graduated from a particular award course of the University at a particular time. (Also see official academic record)

Attachment 4 (resolution (iv) above)

Student Rules – Schedule 5 — Guidelines on Determining an Appropriate Penalty for Instances of Student Misconduct

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

2. Scale of penalties

Withholding of academic results for the relevant teaching period, and/or academic transcript <u>official academic records</u> , including deferral or withdrawal of permission to graduate for a specified period not exceeding twelve (12) months	16.3.1(7)	Imposed when instance of misconduct occurs in the student’s final teaching period before graduation, usually imposed in conjunction with suspension, or results are withheld until fines or costs are paid.
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Reprimand or caution	16.3.1 (16)	<ul style="list-style-type: none"> • first minor instance of misconduct • usually imposed with other penalties • a caution is a formal warning to the student that any future instance of
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		<p>misconduct will be treated most seriously and will result in a more severe penalty</p> <ul style="list-style-type: none"> • a formal reprimand by the Vice-Chancellor for misconduct is communicated to the student in a letter. The letter of reprimand is placed on the student's confidential file and remains confidential. It does not appear on a student's transcript <u>official academic records</u> either internal or external.
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3. Issues specific to each type of penalty

3.5 Withholding of results/academic transcript/ permission to graduate

See Rule 16.3.1(7)

Students whose results are withheld may not be able to proceed to the next stage of their course and it may impact on their employment situation or applications for admission to courses at other institutions. Students whose ~~academic transcripts~~ official academic records are withheld or who are not permitted to graduate may not be able to apply for admission to other courses, or may be limited in their employment opportunities. These penalties usually apply when a student is in, or has completed, their final teaching period before graduation. The penalties are usually imposed in conjunction with suspension, and/or the withholding of results until fines or costs are paid.

4. Differential effects of penalties

Penalties of suspension or exclusion for international students

A penalty of suspension or exclusion may impact more severely on an international student because of visa requirements which stipulate that a student must leave the country if not enrolled. There are also additional financial costs involved for international students who must re-apply for a visa following a period of suspension or exclusion and pay additional course fees. In appropriate circumstances, an alternative may be to consider penalties under Rules 16.3.1(6) and (7) where an international student can complete course requirements prior to the penalty coming into effect. As an example, a student facing a period of suspension (to take effect at a specified time in the future) would be able to complete the course requirements, but at the end of their course, the period of suspension would take effect and the student would be prevented from graduating, unable to access any academic results and ~~official academic transcript records, or testamur.~~ official academic records.

10. Records of misconduct on transcripts

For suspensions and exclusions from a course or from the University ~~the external academic~~

~~transcript~~ official academic records shows ~~the student's status as period of 'suspended' or 'excluded' and the period of suspension or exclusion (in the same way that academic exclusions and leave of absence are shown on a transcript).~~

A penalty of zero mark for a subject is shown on ~~the academic transcript~~ 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.