

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 effect from 1 September 2011.

At its meeting 11/5 on 17 August 2011, Council resolved to approve amendments to the Rules as follows:

COU/11-5/74

Council resolved to:

- .5 approve the proposed amendments to the Student and Related Rules of the University, as detailed in Document 5.4 – Annual Review of the Standing Delegations, with effect from 1 September 2011;

Attachment to Document 5.4 (resolution .5 above)

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

5.5 Deferral of commencement

5.5.5 In exceptional circumstances, an application for extension of the deferral period may be approved by the relevant ~~Dean or nominee~~ Responsible Academic Officer. Approval of extension to the period of deferral is not automatic.

7.1 Enrolment procedures

7.1.3 Students who wish to complete the required enrolment procedures after the specified enrolment period will, if permitted to do so, be liable for payment of the late enrolment fee prescribed by the Registrar unless:

- (1) approval for late enrolment has previously been obtained from the Registrar (or nominee); or
- (2) they are able to show, to the satisfaction of the Registrar, that their late enrolment is caused by circumstances beyond their reasonable control.

10.3 Minimum rate of progress — undergraduate courses

- 10.3.1 In order to satisfy the required minimum rate of progress a student must gain no less than fifty per cent of the credit points for the subjects in which the student has been enrolled since the commencement of enrolment in the course.
- 10.3.2 Students who have been granted provisional admission to a course in accordance with Rule 5.3.1 and who satisfy the required minimum rate of progress in a course as specified in Rule 10.3.1 shall be permitted to re-enrol in the course and shall be eligible to have their admission to the course considered by Academic Board for confirmation.
- 10.3.3 Students who have been granted provisional admission to a course in accordance with Rule 5.3.1 and who fail to achieve the required minimum rate of progress in a course as specified in Rule 10.3.1 shall not be permitted to re-enrol in the course and shall have their enrolment in the course discontinued.
- 10.3.4 Any of the provisions of Rules 10.3.1 and 10.3.3 may be waived in particular cases by the relevant ~~Faculty Board~~, Responsible Academic Officer ~~which~~ who must set conditions for further enrolment. Non-compliance with such conditions will constitute failure to satisfy the minimum rate of progress requirements.

10.4 Failure to maintain minimum rate of progress

- 10.4.1 A student who fails to achieve the required minimum rate of progress in a course as specified in Rule 10.3.1 or as specified by a Faculty in accordance with Rule 10.2.3 shall be excluded from further study at the University by the relevant ~~Faculty Board~~ Responsible Academic Officer for a period of at least one (1) academic year and may not apply for or enrol in any subjects or courses of study at the University that are conducted during the period of exclusion.

10.5 Maximum time to complete course requirements

- 10.5.5 In exceptional circumstances, the relevant ~~Faculty Board~~ Responsible Academic Officer may approve an extension of the maximum time to complete course requirements for a particular student. Before ~~the~~ the Responsible Academic Officer grants any such approval, the ~~Faculty Board~~ Responsible Academic Officer must be satisfied of the academic currency of the subjects completed by the student during the initial periods of enrolment in the course which will, if the extension is granted, be outside the normal maximum time period.
- 10.5.6 In respect of specific courses, the maximum time to complete a particular course may be reduced by resolution of the relevant Faculty Board (subject to approval by Academic Board) and where such a reduction in maximum time has been approved, the Faculty must include this information in all course prospectus and publicity material and must advise students enrolling in such a course for the first time of the approved maximum time to complete.
- 10.5.7 Where a student has failed to complete the requirements of a course within the maximum time the relevant ~~Faculty Board~~ Responsible Academic Officer may determine that the student be excluded permanently from that course.

10.6 Repeated failure in a subject

10.6.4 Where a student is unable to complete a course as a result of being refused permission to enrol in a subject under Rule 10.6.2 or 10.6.3, the student will be excluded from further study at the University by the relevant ~~Faculty Board~~ Responsible Academic Officer for a period of at least one (1) academic year and may not apply for or enrol in any subjects or courses of study at the University that are conducted during the period of exclusion.

10.7 Academic caution

10.7.1 A student may be placed on academic caution by the relevant ~~Faculty Board~~ Responsible Academic Officer if:

- (1) at the end of any half year of study in any year of the student's enrolment in a course, the student gains less than fifty per cent of the credit points for which he or she was enrolled in that half year; and/or
- (2) the student has been excluded for failure to meet the minimum rate of progress as outlined in Rule 10.4.1 and he or she has appealed against the exclusion and that appeal has been upheld, unless the appeal was upheld on the basis that the original decision to exclude was invalid as a result of factual errors, pursuant to Rule 10.8.3
- (3).

10.7.6 The provisions of Rule 10.7.1 may be waived by the relevant ~~Faculty Board~~ Responsible Academic Officer in particular cases.

10.8 Appeals

10.8.1 A student may appeal to the Registrar in respect of decisions of a ~~Faculty Board~~ Responsible Academic Officer under Rules 10.4.1, 10.5.7 and 10.6.4.

10.8.2 An appeal must be in writing, must specify and substantiate the grounds of the appeal and be lodged with the Registrar within four (4) weeks of the date of notification of the decision.

10.8.3 Late appeals which are submitted after the date provided in 10.8.2 will not be accepted unless the student is able to provide satisfactory documentary evidence of circumstances of a personal or medical nature that were beyond the student's control and that significantly affected the student's ability to submit an appeal by the due date.

10.8.4 In normal circumstances, the grounds on which a student may appeal against a decision of a ~~Faculty Board~~ Responsible Academic Officer in relation to exclusion or discontinuation are:

- (1) procedural irregularities which have resulted in substantial unfairness to the student;
- (2) mitigating circumstances, supported by documentary evidence, which directly and significantly affected the student's performance, an awareness of which might have reasonably led to a decision other than exclusion;
- (3) the decision was based on factual errors of such magnitude as to invalidate the decision.

10.8.5 The Registrar shall refer the appeal to the relevant ~~Dean~~ Responsible Academic Officer.

10.8.6 The appeal shall be considered by the appropriate Course Director ~~or other nominee of the Dean~~ in the first instance, who shall seek the advice of other relevant members of staff.

10.8.7 The Course Director ~~or other nominee of the Dean~~ shall submit a report to the Responsible Academic Officer ~~or other nominee of the Dean~~, with a recommendation as to whether to uphold or dismiss the appeal.

10.8.8 The Responsible Academic Officer ~~or other nominee of the Dean~~ will consider the report and recommendation and the following provisions will apply:

- (1) Where the Course Director ~~or other nominee of the Dean~~ has recommended that the appeal be upheld, and the Responsible Academic Officer ~~or other nominee of the Dean~~ after considering the report and recommendation agrees with the recommendation, ~~the recommendation will be~~ the Responsible Academic Officer forwarded to the Dean who shall make a decision uphold the appeal.
- (2) Where the Course Director ~~or other nominee of the Dean~~ has recommended that the appeal be upheld and the Responsible Academic Officer ~~or other nominee of the Dean~~ after considering the report and recommendation disagrees with the recommendation to uphold the appeal, he or she will invite the student to respond to the recommendation, as provided for in Rule 10.8.8 (3).
- (3) Where the Course Director ~~or other nominee of the Dean~~ has recommended that the appeal be dismissed, the Responsible Academic Officer ~~or other nominee of the Dean~~ will invite the student to respond to the recommendation to dismiss the appeal. A student will be permitted to respond in writing and may be required to attend an interview with the Responsible Academic Officer. The student's response must reach the Faculty within such time as the Registrar may specify from time to time. The Responsible Academic Officer ~~or other nominee of the Dean~~ will consider the response and ~~make a recommendation to the Dean~~ make a decision as to whether to uphold or dismiss the appeal.

~~10.8.9 The Dean shall consider the recommendations and reports of the Course Director or other nominee of the Dean and the Responsible Academic Officer or other nominee of the Dean as provided in 10.8.8. Where the Dean disagrees with the recommendations of the Course Director or other nominee of the Dean and the Responsible Academic Officer or other nominee of the Dean to uphold the appeal, and where the University has not done so already, the Dean will invite the student to respond to the Dean's recommendation as provided in Rule 10.8.8 (3). The matter will then be referred to the Registrar for final decision.~~

~~10.8.10 In the event that the Course Director or other nominee of the Dean, or the Responsible Academic Officer or other nominee of the Dean believes that his or her involvement in the appeal would lead to a conflict of interest, he or she will be required to consult with the Dean (or nominee) who will make the decision on the appeal. If the Dean believes that his or her involvement in the appeal would lead to a conflict of interest, he or she will be required to refer the matter to the Registrar for final decision.~~

10.8.11 Following the conclusion of the processes provided for in 10.8.8, 10.8.9 and 10.8.10, ~~the Dean and/or Registrar (or nominee) shall reconsider the recommendation and determine the final decision.~~ The final decision will be conveyed to the student by the Registrar (or nominee).

10.10 Coursework Students' Exclusions Review Committee

10.10.2 Terms of reference

- (1) The Coursework Students' Exclusions Review Committee shall review Deans' decisions to dismiss coursework student appeals:
 - (a) against exclusion for failure to maintain the required minimum rate of progress pursuant to Rule 10.4.1;
 - (b) against exclusion from the course for failure to complete the course requirements within the approved maximum time limit pursuant to Rule 10.5.7;
 - (c) against permanent discontinuation from a course resulting from inability to complete course requirements pursuant to Rule 10.6.5.
- (2) If the Committee finds a procedural irregularity, as provided in Rule 10.9.4, the appeal is to be referred back to the relevant ~~Dean~~ Responsible Academic Officer to be handled in accordance with these Rules.