

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 21/4 meeting on 18 August 2021, Council approved the following amendments to the UTS Rules:

COU 21-4/89

Council resolved to:

[...]

- .2 approve proposed amendments to the UTS Student Rules in relation to the new Short Forms of Learning Policy as detailed in Attachment 1 of Document 5.6;

[...]

- .4 approve the amendments to the UTS Student Rules in relation to the new Internships Management Policy as detailed in Attachment 2 of Document 5.6;

[...]

- .6 approve the proposed amendments to the UTS Student Rules to support changes to the exclusion appeals process and repeated failure in subject process as detailed in Attachment 3 of Document 5.6.

THE APPROVED AMENDMENTS TO THE UTS RULES ARE PROVIDED BELOW
[new text **bold underlined**, text to be deleted in **~~bold and strikethrough~~**]

UTS STUDENT RULES

Section 2 – Student requirements

2.1 General conduct

2.1.6 A student participating in clinical practice, fieldwork, **internships**, **~~or professional~~**, industry or other practical experience must comply with all requirements including, without limitation, rules, regulations, policies, procedures, directives, guidelines and codes of conduct relating to such participation as determined by the University.

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 legislative requirements.

3.3.2 For students undertaking ~~professional experience~~ an internship that involves direct contact with people under the age of 18, the following conditions will apply:

- (1) all students admitted to these courses must complete required declarations and have required 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, the receipt of unsatisfactory information or the refusal to undergo these checks may result in withdrawal of an offer of admission to that course and/or cancellation of enrolment.

3.4 ~~Professional experience~~ Internship requirements

3.4.1 A number of courses offered by the University require students to undertake professional internships or internship-like experiences (hereafter internships) in line with the requirements and definitions outlined in these rules and the Internships Management Policy.

3.4.2 The University and the provider of ~~professional experience~~ the internship must follow the provisions outlined in the Internships Management Policy ~~may appoint a suitably qualified supervisor who is external to the University to supervise a student's practical professional experience.~~

3.4.3 While undertaking ~~professional experience~~ an internship, a student may be summarily excluded from facilities and/or from participation in activities in accordance with [Rule 16.9](#).

3.4.4 If, while undertaking ~~professional experience~~ an internship, a student is summarily excluded from facilities and/or from participation in activities then under [Rule 16.9.7](#) the relevant circumstance or incident may be referred to the Director, Governance Support Unit as an allegation of student misconduct; or referred to the Vice-Chancellor or Vice-Chancellor's nominee to be handled under [Rule 2.1.9](#); or dealt with under Rule 3.4.5.

3.4.5 If a student is ~~assessed~~ identified as not ready to proceed with an internship, or ~~unsuitable~~ it has been determined that the student does not meet relevant suitability requirements to proceed with or continue, the required ~~professional experience~~ internship, the student may be unable to complete the course requirements. The following process will apply:

- (1) ~~Where the Responsible Academic Officer believes it necessary,~~ The Responsible Academic Officer, in consultation with the external supervisor (if any), will assess whether a student is ready to proceed with or is suitable to continue, any part of the required ~~professional experience~~ internship on its scheduled

commencement, and the Responsible Academic Officer may defer or reschedule the student's participation;

(2) The Responsible Academic Officer must advise the student and the Dean in writing of the decision within three working days of making it.

3.4.6 Where the deferral of a student's participation in any part of the required ~~professional experience internship~~ would have the effect of preventing the student from continuing ~~his or her~~their 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 internships~~ and where necessary, ~~his or her~~their enrolment will be withdrawn.

The withdrawal of a student's enrolment will take effect from ~~the later of the following~~when:

(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 Internships** 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 Internships** 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 3.4.15).

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 of~~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.

3.4.12 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 that~~ directly and significantly affected the student's performance ~~which and~~ were not known at the time of making the decision. The mitigating circumstances need to be, of a type and to an extent that make it likely that the student could complete the professional experience internship in the future and must be supported by documentary evidence;

(3) the decision was based on factual errors of such magnitude as to invalidate the decision; and/or

(4) the conclusion as to the student's suitability for further professional experience internship placement was manifestly unreasonable, taking account of all the circumstances of the matter and the relevant professional standards and practices.

3.4.13 The Director, Governance Support Unit will refer the student's appeal to the Professional Experience Internships 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 Internships 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 Internships 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.

3.5 Occupational Professional requirements

3.5.1 A number of courses offered by the University require students to obtain suitable concurrent occupational professional experience as one of the courses inherent requirements. In these courses progression beyond the first year is normally dependent on the student being in suitable employment. In special cases, consideration will be given to experience obtained prior to admission to a course.

3.5.2 Where students have not satisfied the required occupational professional requirements prescribed for the particular course within the time limits for completion of the particular course, or as otherwise specified for that course, the matter will be considered in the first instance by the relevant Responsible Academic Officer for an appropriate recommendation to the Dean who will take action and make a decision as deemed appropriate. The decision may include that the student's enrolment will be withdrawn.

3.5.3 The Dean must notify the student in writing of any decision made within three working days of making it.

3.5.4 The Dean's decision is final and there is no appeal.

Section 10 — Academic progression

10.6 Repeated failure in a subject

10.6.2 A student who fails a subject for a second time shall be advised that:

(1) ~~he or she~~ they must seek advice from an appropriate academic adviser from the relevant faculty before being permitted to enrol again in that subject; and

(2) a third failure in the same subject will require the student to seek the permission of the Responsible Academic Officer or nominee for any further enrolment in that subject; or

(3) no further enrolment in the subject will be permitted for subjects specified in Rule 10.6.1(2).

10.6.3 A student who fails a subject for a third time must receive permission from the Responsible Academic Officer or nominee for any further enrolment in that subject. If such permission is granted the student must seek continuing assistance throughout that teaching period from an appropriate academic adviser in the relevant faculty.

10.8 Appeals

10.8.8 The Responsible Academic Officer will consider the report from the Course Director (or equivalent) and will make a final determination. If required, the Responsible Academic Officer may request further information from the student (in writing and/or in person as appropriate) to facilitate their decision-making process. ~~and recommendation and the following provisions will apply:~~

~~(1) Where the Course Director (or equivalent) has recommended that the appeal be upheld and the Responsible Academic Officer agrees with the recommendation to uphold the appeal after considering the report and recommendation, the Responsible Academic Officer will uphold the appeal.~~

~~(2) Where the Course Director (or equivalent) has recommended that the appeal be upheld and the Responsible Academic Officer disagrees with the recommendation to uphold the appeal after considering the report and recommendation, he or she will invite the student to respond to the recommendation, as set out in Rule 10.8.8(3).~~

~~(3) Where the Course Director (or equivalent) has recommended that the appeal be dismissed, the Responsible Academic Officer 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 three working days from the date of notification. The Responsible Academic Officer will consider the response and make a decision to uphold or dismiss the appeal and provide written reasons for the decision.~~

Section 16 — Student misconduct and appeals

16.2 Definition of misconduct

16.2.1 **Student misconduct** includes but is not limited to:

...(21) failing to comply with the prescribed provisions relating to the student's **internship or other** placement at another institution, place of learning or place of business;

16.9 Exclusion from facilities and/or participation in activities

16.9.2 For the purpose of Rule 16.9, facilities and participation in activities includes but is not limited to classes, laboratories, computer laboratories, University Library, practicums, clinical practice or fieldwork excursions, practical experience or **workplace internship** placements.

Section 17 — Appeals Committees of Academic Board

17.1 Constitution

17.1.1 There shall be Appeals Committees of Academic Board which shall be constituted in accordance with Rules 17.2 to 17.5 for the purposes of a student's right of appeal under the following Rules:

- [Rule 5.6.5](#) (relating to Refusal of application, withdrawal of offer of admission and cancellation of admission or enrolment);
- [Rule 3.4.8](#) (relating to **Professional experience internship** requirements);
- [Rule 11.24](#) (relating to Appeal against discontinuation of candidature).

17.3 ~~Professional Experience~~**Internships** Appeals Committee

17.3.1 Composition

(1) An ~~An **Professional Experience**~~**Internships** Appeals Committee will consist of four members:

(a) three academic staff members, with experience in the placement and administration of ~~professional experience~~**internship** 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~~**internship** 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~~**internship** 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 an ~~Professional~~

Professional Experience Internships Appeals Committee, as constituted in accordance with Rule 17.3.1(4).

(3) The term of office for a panel member approved under Rule 17.3.1(2) will continue until such time as the member resigns ~~his or her~~**their** membership, or ceases to be eligible for membership under Rule 17.3.1(1).

(4) 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.

(5) With respect to Rule 17.3.1(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.

(6) All members of an **Professional Experience Internships** 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.

(7) 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** ~~an~~ **internship**.

17.3.2 Terms of reference

The **Professional Experience Internships** Appeals Committee shall make determinations on appeals against decisions of the Deputy Vice-Chancellor (Education and Students) pursuant to [Rule 3.4.6](#) relating to deferral of a student's participation in any part of required professional experience that would have the effect of preventing the student from continuing ~~his or her~~**their** course.

Schedule 1 – Definitions

professional experience Internship means **University approved or provided all** clinical, professional, industrial ~~or other~~ work placements, **experiences or practicums**, paid or unpaid, onshore or offshore, that form part of a course or subject offered by the University. **Further guidance is provided in the Internships Management Policy.**

Internship-like experience means a University recognised experience, or collection of experiences, that simulate a place of work that forms part of a course or subject (within a workplace environment from classroom to workplace). These experiences normally involve extended participation in activities that approximate real work activities such as problem-based learning with industry partners, simulations, case studies, studios, complex lab work,

workplace audits and/or field trips that approximate real work activities. They are designed or facilitated with industry input, are accompanied by reflection to consolidate learning, and/or show possible future employment situations.

non-award study means a program of study that does not lead to an award of the University and may fall into the following categories:

- non-award single subject study;
- professional registration courses;
- cross-institutional study;
- international exchange study;
- ~~UTS short courses;~~
- UTS Foundation Studies;
- exchange program;
- study abroad program.