

## 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 19/6 meeting on 27 November 2019, Council approved the following amendments to the UTS Rules:

### COU/19-6/118

Council resolved to:

...

- .2 approve the amendments to the Student Rules 13.9.3 as detailed in **Attachment 1** of Document 5.3;
- .3 approve the proposed amendments to the Student Rules 2.1.9 and 16.9 as detailed in **Part A** of **Attachment 2** of Document 5.3;

...

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

## Section 2 – Student requirements

### 2.1 General conduct

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2.1.9 If the Vice-Chancellor (or the Vice-Chancellor's nominee) **reasonably** considers ~~on the basis of past conduct, or threatened conduct or on another reasonable basis~~ that ~~the conduct of~~ a student's ~~conduct may prejudice the good order and government of the University or~~ may interfere with the freedom of other persons to pursue their studies, carry out their functions, ~~or participate in~~ ~~the life of the~~ University ~~life or otherwise negatively impact the University~~, the Vice-Chancellor or the Vice-Chancellor's nominee may (irrespective of ~~or in addition to any whether~~ misconduct proceedings ~~have been instituted~~) require the student to comply ~~from a date specified by the Vice-Chancellor or the Vice-Chancellor's nominee~~ with **specific attendance or participation such** conditions as **are** notified to the student in writing ~~by the Vice-Chancellor or the Vice-Chancellor's nominee~~.

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## Section 13 — Awards and graduation

### 13.9 Testamurs

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13.9.3 A ~~certificate of~~ replacement ~~for a~~ testamur may be requested by a graduate and issued ~~under the authority of~~ **upon approval by** the Director, Student Administration Unit, ~~or delegate. The replacement testamur will bear a statement of replacement including date of re-issue. in the form and on such conditions as determined by the Vice-Chancellor from time to time.~~

## Section 16 – Student misconduct and appeals

### Part B — Temporary exclusion

16.9.1 An officer of the University may ~~summarily temporarily~~ exclude a student from facilities and/or participation in activities under this Rule in circumstances **in which it is appropriate to do so. Such circumstances that** include, but are not limited to, where the officer reasonably believes:

- (1) the student ~~is suspected of having~~ **has** committed an act of misconduct ~~in,~~ **or** in relation to, the use of facilities and/or participation in an activity; or
- (2) the student's behaviour is disrupting, ~~likely to disrupt, or encouraging others to disrupt the~~ use of the facilities ~~by others~~ or participation in activities by others ~~or likely to disrupt them~~; or
- ~~(3) the student's behaviour is causing or encouraging others to disrupt use of the facilities and/or participation in activities; or~~
- (43)** there is or may be a threat to the safety of persons or property.

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 placements.

**16.9.3 An exclusion under Rule 16.9 will have a duration of 14 days or greater, subject to circumstances. This is in addition to the provision outlined in Rule 2.1.9.**

**16.9.34 Guidelines on Exclusion of Students from Facilities and/or Participation in Activities**The **Temporary Exclusion Policy** consistent with this Rule must be approved by Academic Board **from time to time** for the purpose of providing guidance to students and officers of the University on the application of Rule 16.9 **in various circumstances and situations.**

**16.9.4 An exclusion from facilities and/or participation in activities ceases to have effect at the expiration of 14 days from the day on which the alleged circumstance or incident occurred, unless sooner revoked.**

~~16.9.5 An officer of the University who excludes a student from facilities and/or participation in activities under this Rule must notify the relevant Responsible Academic Officer, the University Librarian or the Director, Governance Support Unit of the exclusion not later than two working days after the exclusion takes place. The notification must outline the circumstance or incident including any relevant behaviour, the period of exclusion and from which facility or activity the student was excluded.~~

~~16.9.6 Within three working days of receiving the notification the Responsible Academic Officer, the University Librarian or the Director, Governance Support Unit will send a notice to the student outlining the basis of the exclusion.~~

~~16.9.7 If the circumstance or incident leading to summary exclusion occurs in a classroom, or during a practicum, clinical practice, fieldwork excursion, practical experience or workplace placement, or in a faculty facility, the Responsible Academic Officer may decide whether the notified circumstance or incident:~~

~~(1) should be treated as an allegation of student misconduct for referral to the Director, Governance Support Unit to be handled in accordance with Rule 16.12;~~

~~(2) should be treated as a circumstance or incident for referral to the Vice-Chancellor or Vice-Chancellor's nominee to be handled in accordance with Rule 2.1.9; or~~

~~(3) where relevant, should be dealt with under the professional experience requirements of Rule 3.4.~~

~~16.9.8 If the incident occurs in the University Library, the University Librarian will decide whether the notified incident should be treated as an allegation of student misconduct for referral to the Director, Governance Support Unit to be handled in accordance with Rule 16.12.~~

~~16.9.9 If the Responsible Academic Officer or the University Librarian decides to treat the notified incident in another way, the notification and details of the subsequent action by the Responsible Academic Officer or University Librarian will be placed on the student's file and may be used at some future time in determination of a penalty should further instances of misconduct occur in accordance with the Guidelines on Determining an Appropriate Penalty for Instances of Student Misconduct (refer Schedule 4).~~

~~16.9.10 In all other cases, the matter must be referred to the Director, Governance Support Unit who will determine the appropriate action in accordance with Rule 16.12.~~

~~16.9.11 The student will be notified of all decisions and action taken.~~