



Statutes and Regulations Committee Minutes

Meeting No:	SRC1/09
Date and Time:	Tuesday, 10 March 2009, 2pm
Venue:	Council Room, Mt Helen Campus
Members:	Rowena Coutts Terry Lloyd Wayne Robinson Todd Walker Andy Smith Sue Goodbourn Katie Morris (Secretary)

1.1 Election of Chair and Deputy Chair

The Committee elected Rowena Coutts to the position of Chair and Todd Walker to the position of Deputy Chair.

1.2 Apologies

Wayne Robinson, Andy Smith and Sue Goodbourn were apologies.

2. Minutes of the previous meeting and matters arising

2.1 Confirmation

The Committee approved the minutes of SRC2/08 held 8 October 2008.

2.2 Approval of Legislation

The Committee noted that Academic Board approved the following legislation at its meeting held on 3 December 2008 (AB8/08):

Regulation 5.1 - Higher Doctorates, the Degree of Doctor of Philosophy, Professional Doctorates and Masters Degrees by Research.

Regulation 6.1.1 – Plagiarism.

The Committee noted that Council approved the following legislation at its meeting held on 17 February 2009 (CM1/09):

Regulation 5.1 - Higher Doctorates, the Degree of Doctor of Philosophy, Professional Doctorates and Masters Degrees by Research.

Regulation 6.1.1 – Plagiarism.

In addition, the Committee noted that the Minister approved the following legislation on 19 December 2007, notification of which was received by the University on 8 December 2008:

- Statute 3.6 – The Professoriate
- Statute 5.5 – Unsatisfactory Progress
- Statute 9.1 – Fees and Charges
- Statute 9.2 – Fees and Charges (TAFE Division)
- Rescinded Statute 3.7 – Visiting Teaching and Research Staff and Academic Associates

3. Specific items for discussion

3.1 Regulation 1.1.2 - Interpretation

The Committee considered Resolution 2/08/3 from SRC 2/08 as follows: -

“Resolution SRC2/08/3

The Committee resolved that the Chair of Academic Board convenes a working party to consider Regulation 1.1.2 and make a recommendation to the Committee. The working party is to consist of the Chair of Academic Board, the respective Chairs of the Teaching and Learning Committees, the Chair of the Higher Education Committee, Ewan Barker, Troy Severino, Katie Morris and possibly one other staff member from the SIMS project team and is to be convened prior to the next Statutes & Regulations Committee meeting scheduled for 13 November 2008.”

The Committee noted that a meeting of the working party was held on 11 November 2008, convened by Julian Lowe. The members of the working party generally were concerned with the use and breadth of the new SIMS terminology and it was decided that the issue needed to be considered further with a senior member of the SIMS project team present. In particular, the working party raised the following concerns:

- (1) How does the University represent the new terminology to external bodies?
- (2) How does the University reconcile the terms between Higher Education and TAFE? – ie. TAFE uses terminology which is common nationally.
- (3) A definition of “Learning Plan” will be needed for TAFE (to accompany the definition of “Academic Plan”).

The Committee noted that whilst the working party generally approved the proposed definitions of “Academic Career”, “Admit” and “Application Centre”, and rejected the terms “Academic Group” and “Academic Institution”, all other terms were queried. It was resolved by the working party that further discussion was required and the working party should be reconvened with a senior member of the SIMS Project Team present. This was held-off to 2009, due to the change in the Chair of Academic Board.

The Committee further considered the way-forward regarding Regulation 1.1.2 and an in-depth discussion occurred, particularly in relation to the use of the proposed terms for TAFE. The Committee discussed that whilst the new terms “program” and “course” should be incorporated into the University legislation, this is still problematic for TAFE, as the TAFE sector generally uses terminology which is consistent across all TAFE institutions. Terry Lloyd advised that whilst there is no technical impediment to using the terms for TAFE and that consistent terminology needs to be in place for

both Higher Education and TAFE for the University's legislation, there is concern as to the confusion that the new terminology may cause prospective TAFE students.

Resolution SRC1/09/1

The Committee resolved the following: -

1. The working party to consider Regulation 1.1.2 will not be reconvened; and
2. The terminology in the proposed Regulation 1.1.2 is to be re-drafted to incorporate specific descriptors for TAFE, linking the terminology to commonly used TAFE terminology. Katie Morris will work with Terry Lloyd regarding this and the redrafted terminology will be presented back to the Statutes and Regulations Committee for further consideration and approval.

(See Annex I, Page 8 for an annotated version of the proposed Regulation 1.1.2 as considered by the working party on 11 November 2008).

3.2 Regulation 2.1 - The Council

The Committee considered the discussion at Academic Board meeting 8/08 concerning the timing and cost of the required police checks for students at the time of nomination to Council.

Rowena Coutts advised the Committee that at the next Council meeting, Council will be considering the issue of police checks for all Council members, with a proposal to be put forward that all Council members be subject to police checks (currently only Governor-in-Council appointees are subject to the checks).

It was noted that elected student positions on Council are paid positions and are for a period of twelve months.

The Committee proposed that the amendments to Regulation 2.1 be changed to state that students must provide a satisfactory police check to the Secretary of Council, following election to Council. As student positions on Council are paid positions, the Committee recommended that it was reasonable for students to meet the cost of police checks themselves (currently approximately \$30). It was further recommended that an additional clause be inserted in Regulation 2.1 that students and staff members are to keep the Secretary to Council informed (and provide an updated police check) if the information in the police check changes in any way.

[Secretary's Note: Some discussion took place by the Committee as to confusion around the words "or participating in the voting process". Whilst no specific resolution was made, the proposed Regulation 2.1 has been amended for the sake of clarity to remove those words].

Resolution SRC1/09/2

The Committee approves and recommends to Academic Board for approval, the amendments to Regulation 2.1 The Council (Annex II, Page 10).

3.3 Regulation 2.2.2 - Academic Board

The Committee considered the resolution of Academic Board AB7/08/4, where Academic Board approved and recommended to Statutes and Regulations Committee a change in the requirements for attendance at meetings of elected members of Academic Board, as follows:

- A member of Academic Board who expects to be absent for up to three consecutive Academic Board meetings in a calendar year should apply to the Chair of the Board for leave of absence; and
- Any member who expects to be absent for more than three Board meetings in a calendar year will be expected to resign their position on the Board.

The Committee approved and recommended the proposed amendments to the Regulation 2.2.2.

Some general discussion occurred regarding the proposed review of the size and composition of Academic Board. The Chair of Academic Board advised the Committee that this issue will be brought forward to the next Academic Board meeting and is currently the subject of discussion. The Chair of Academic Board advised that for the time being, the Board is likely to remain as is.

Resolution SRC1/09/3

The Committee approves and recommends to Academic Board for approval, the amendments to Regulation 2.2.2 Academic Board (Annex III, Page 12).

3.4 Regulation 4.1 - Academic Dress

The Committee considered the proposal put forward at Council Executive Committee meeting CEC1/09 held on 27 January 2009, that University legislation is to be reviewed and amended to reflect a consistency in graduation dress and colours for the recipients of Higher Education and TAFE awards. The CEC specifically noted that graduates awarded the Graduate Certificate of Management should be gowned as for higher education and that applied degrees be gowned in the colour of the discipline.

Resolution SRC1/09/4

The Committee considered proposed amendments to Regulation 4.1 Academic Dress (see Annex IV, Page 16) and the following was resolved in relation to those amendments: -

1. Regulation 4.1 should be reworked so that it reflects a consistent approach regarding the colours of the discipline;
2. The definitions for colours of discipline are to be extended to ensure all TAFE disciplines are covered. For example, the colour green may apply to "Education and Children's Services"; blue may apply to "Engineering and Manufacturing Services"; and apricot may apply to "Nursing and Health".
3. Sections 5 and 7 of the existing Regulation 4.1 should be switched so that the order reads: professional doctorate, doctor of philosophy, then higher doctorates.

4. Recipients of associate degrees should be dressed as per recipients of advanced diplomas.
5. Katie Morris and Terry Lloyd are to work together to insert all TAFE disciplines as appropriate in the proposed Regulation 4.1.
6. The reworked Regulation 4.1 will be presented back to the Statutes and Regulations Committee for further consideration and approval.

3.5 Schedule 5.1

The Committee considered proposed amendments to the blurb for the TAFE section of Schedule 5.1, so as to take into account additional TAFE programs and to replace the reference to “Board of Technical Studies” with “Academic Board”, as follows (amendments appear in strikethrough and italics):-

“This Schedule lists Certificates I, II, III and IV, *Graduate Certificates*, Diplomas, ~~and~~ ~~Advanced Diplomas~~, *Graduate Diplomas and Bachelors*, or their equivalent. All other prescribed programs and courses of study in TAFE shall be listed on the TAFE Register of Courses on the authority of the Chair of *Academic Board* ~~the Board of Technical Studies.~~”

The Committee also considered a proposal that non-current programs be removed from Schedule 5.1 (those programs shaded on the spreadsheet) and a new Schedule 5.1.1 be created to contain non-current programs.

Resolution SRC1/09/5

The Committee approves and recommends to Academic Board for approval, the amendments to Schedule 5.1 (see separate excel spreadsheet annexed to this agenda), together with the creation of a new Schedule 5.1.1 to list all non-current programs (currently shown in Schedule 5.1 as shaded)

[Secretary’s Note: Schedule 5.1 is currently maintained by Ms Andrea Warr, Executive Officer Council Committees and Academic Board Support, and is in the form of an excel spreadsheet. As this spreadsheet is the subject of regular amendment to add new programs and to update non-current programs, the new Schedule 5.1.1 will be created (and all non-current programs transferred from Schedule 5.1 to the new Schedule 5.1.1) following approval of the proposed amendments to Schedule 5.1 by Academic Board and Council].

3.6 Regulation 5.1 - Higher Doctorates, the Degree of Doctor of Philosophy, Professional Doctorates and Masters Degrees by Research

The Committee considered Council Resolution CM1/09/09 whereby Council noted that the Higher Doctoral Degrees Committee should be a Committee of Council formed on an *ad hoc* basis and comprised of the Vice-Chancellor and at least two other people nominated by the Vice-Chancellor (who will be experts in the relevant discipline). Council will be asked to approve the membership on a case by case basis.

Resolution SRC1/09/6

The Committee approves and recommends to Academic Board for approval, the amendments to Regulation 5.1 Higher Doctorates, the Degree of Doctor of Philosophy, Professional Doctorates and Masters Degree by

Research (Annex V, Page 19 - please note that only Part A of Regulation 5.1 is annexed).

3.7 Statute 5.3 - Assessment - The Schedule Part I

The Committee considered amendments to the Schedule Part I to reflect the new approach for students to obtain special consideration, which is by means of a Special Consideration Application Form and a Health Care Professional Certification (when special consideration is sought on medical grounds).

Resolution SRC1/09/7

The Committee approves and recommends to Academic Board for approval, the amendments to Statute 5.3- Assessment – The Schedule Part I (Annex VI, Page 21).

3.8 Statute 5.3 - Assessment - The Schedule Part II

The Committee considered the proposed amendments to Statute 5.3 The Schedule Part II, to include the system of codes used pre-1996 and codes now used as a result of the implementation of the new student information management system (SIMS). The three systems of codes are included, as student transcripts may refer to one or more of the three systems, depending on the year of study.

Resolution SRC1/09/8

The Committee approves and recommends to Academic Board for approval, the amendments to Statute 5.3- Assessment – The Schedule Part II (Annex VII, Page 25).

3.9 Statute-based policies, procedures and guidelines

The Committee was asked to consider the issue of University statute-based policies, procedure and guidelines. So as to avoid unnecessary overlap and possible contradiction between statute/regulation and policy/procedure/guideline documentation, the Committee was asked to consider formulating a view that where a policy/procedure/guideline is proposed that has its basis in University statute or regulation, that: -

- (a) only a procedure or guideline be developed (ie. not a policy); and
- (b) all such proposed procedures/guidelines require approval of the Committee before finalisation.

The Committee discussed generally the above issues. The following items were raised in the general discussion by the Committee: -

1. Is an audit of University legislation/policies/procedures/guidelines necessary?
2. Legislation takes precedence over policies, etc, but not all staff members may be aware of this.
3. In the TAFE sector, greater reliance is placed on policy/procedure, as generally considered to be “closer” to the organisation than the legislation.
4. On the website, not a clear link between University legislation and policy/procedure. *[Secretary’s Note: The legislation website has been amended so that a clearer link to the policy website exists; due to the*

redevelopment of the policy website, a link to University legislation from the policy website will be reinstated shortly].

5. Should policies/procedures/guidelines developed by Academic Board (or its Committees) come through the Statutes and Regulations Committee for approval?
6. Should the University's Quality team consider all proposed policies/procedures/guidelines in light of legislation?
7. The importance of consistency between legislation and policies (including defined terms), where a policy is the subject of enabling legislation, was discussed.
8. Greater awareness is required throughout the University of the hierarchy and relationship of legislation/policies/procedures/guidelines.

Resolution SRC1/09/9

The Committee resolved that this item will go back on the Committee's agenda at the next meeting for further discussion. In the meantime, the Committee requested that the Chair of Academic Board raise this issue generally at the next Academic Board meeting and request that all staff members working on policies/procedures/guidelines consider if there is enabling legislation and if so (a) ask whether a policy/procedure/guideline is necessary or can the legislation itself be amended?; and (b) ensure there is consistency in definitions, etc, between the enabling legislation and the proposed policy/procedure/guideline.

4. General Business

The Committee noted the meeting dates for 2009.
There was no further business.

5. Next meeting

Tuesday, 9 June 2009 at 2pm in the Council Room, Mt Helen.

Meeting closed at 3pm.

DRAFT NEW REGULATION**REGULATION 1.1.2- INTERPRETATION****ANNOTATED VERSION 11 NOVEMBER 2008**

1. In any Statute or Regulation of the University amended or made from 22 September 2008, unless the contrary intention appears: -

“Academic Career” means a Higher Education level of study being undergraduate, postgraduate by coursework, postgraduate by research or non-award.

“Academic Group” or “Academic Organisation” means a School of the Institution established under Statute 2.3 – Schools. [Note: was “School”]

“Academic Institution” or “Institution” means the University of Ballarat established pursuant to the University of Ballarat Act 1993 (Vic) or, where the context requires, a partner academic institution of the University of Ballarat.

“Academic Plan” or “Plan” means the areas of study within a Program, including majors, minors, streams and strands, together with the location of study.

“Academic Program” or “Program” means a course of study leading to a Higher Education Award or VET Award. [Note: was “Course”. Although SIMS does not apply to TAFE currently, the reference to VET Award in the definition should be included as old definition of “course” in Statute 1.1 encompasses HE and VET Awards. For drafting purposes, easier moving forward with amendments to legislation to replace all references to “Course” with new term “Program”]

“Academic Subject” means a category, grouping or general classification of Courses within a Program.

“Admit” or “Admitted” (as the context requires) means to accept an application for admission to the Institution from a prospective student and allow him/her to commence as a Student of the Institution. [Note: definition necessary due to change of definition of “Student”]

“Application Centre” means the organisation or centre or agent through which a prospective student applies to study at the Institution.

“Course” means a unit of studies, a module, a subject or an identifiable component of a Program that is recorded onto the Institution’s student management system. [Note: was “Unit”]

“Course Component” means the components of a Course which a Student Enrols in, including classes, lectures, tutorials and laboratory work as the case may be.

“Course ID” means the Course identifier as recorded onto the Institution’s student management system, usually consisting of a Subject Area prefix and a numerical value.

“Enrol” or “Enrolment” means the process of the Student or an administrator of the Institution selecting Course Components for the Student within a Term.

“Progress Unit” or “Unit” means the credit point value of a particular Course. [Note: was “Credit Points”]

“Session” means a block of teaching within a Program with a defined start and end date.

“Student” means an Admitted student. [Note: previously meant an “Enrolled Student”]

“Subject Area” means the identifier for an Academic Subject as recorded onto the Institution’s student management system.

“Term” means the teaching period or periods defined by the Academic Board to be a term. [Note: was “Teaching Period”]

Draft 12/8/08, 11/11/08

REGULATION 2.1 – THE COUNCIL
(AMENDMENTS APPEAR IN STRIKETHROUGH AND ITALICS)

Student Members of Council

1. Pursuant to paragraph (f) of sub-section 7(2) of the Act, the two ~~enrolled~~ ~~s~~Students are to be elected by and from the following classes of ~~enrolled~~ ~~s~~Students –
 - (a) one shall be elected from ~~s~~Students ~~enrolled~~ *admitted* in the Higher Education Division *at a time fraction of 0.5 or more*, who shall not be employed by the University at a time fraction of 0.5 or more, and by ~~s~~Students ~~enrolled~~ *admitted* in the Higher Education Division *at a time fraction of 0.5 or more*; and
 - (b) one shall be elected from ~~s~~Students ~~enrolled~~ *admitted* in the TAFE Division *at a time fraction of 0.5 or more*, who shall not be employed by the University at a time fraction of 0.5 or more, and by ~~s~~Students ~~enrolled~~ *admitted* in the TAFE Division *at a time fraction of 0.5 or more*,

provided that any Student nominated:

- (i) *is 18 years or over; and*
- (ii) *is not currently serving a custodial sentence;*

at the time of the calling for nominations by the Returning Officer; and

- (iii) *if elected to Council, provides a satisfactory police check (at his/her cost) to the Secretary to Council before the first meeting of Council following his/her election.*

Staff Members of Council

2. Pursuant to paragraph (e) of sub-section 7(2) of the Act, the three persons are to be elected by and from the following class of staff –
 - (a) one shall be elected by and from TAFE teaching staff employed at 0.5 or above by the University;
 - (b) one shall be elected by and from general staff employed at 0.5 or above by the University;
 - (c) one shall be elected by and from academic staff employed at 0.5 or above by the University,

provided that any staff member nominated provides a satisfactory police check (at his/her cost) to the Secretary to Council at the time of the calling for nominations by the Returning Officer.

Police Checks

3. *Students and staff members elected to Council must provide an updated police check (at the cost of the Student/staff member) to the Secretary to Council where any information in the police check provided at section 1 or 2 above changes whilst the Student or staff member is a member of Council.*

REGULATION 2.2.2 – ACADEMIC BOARD
(AMENDMENTS APPEAR IN STRIKETHROUGH AND ITALICS)

Composition of the Board

1. The Academic Board shall consist of the following members:
 - (1) APPOINTED members:
 - (a) Senior University Officers–
 - (i) the Vice-Chancellor;
 - (ii) the Deputy Vice-Chancellors;
 - (iii) the ~~Pro Vice-Chancellor (Administrative and Academic Support)~~ *Vice-President Student and Learning Support*;
 - (iv) the Dean of Graduate Studies;
 - (v) a senior TAFE Curriculum Officer nominated by the Vice-Chancellor.
 - (b) Heads of School-
 - (i) four Heads of School from the TAFE Division (for the purposes of this Regulation only this paragraph 1(c)(i) includes the Head of TAFE Development);
 - (ii) seven Heads of School from the Higher Education Division;
 - (iii) The Head of the Arts Academy.
 - (2) ELECTED members who shall comprise at least one third of the membership of the Academic Board:
 - (a) staff members-
 - (i) three Heads of Programs from the TAFE Division, elected by and from Heads of Programs from the TAFE Division;
 - (ii) four TAFE teaching staff members elected by and from TAFE teaching staff;
 - (iii) four Academic staff members elected by and from Academic staff;
 - (iv) two General staff members elected by and from General staff;
 - (b) students-
 - (i) one student enrolled in the TAFE Division elected by and from students enrolled in the TAFE Division;
 - (ii) one student enrolled in the Higher Education Division elected by and from students enrolled in the Higher Education Division.
 - (3) COOPTED members:
 - (a) any or such numbers of additional members as are determined by the Academic Board from time to time.
2. In this Regulation, unless a contrary intention appears “members” means all members of the Academic Board.
3. A reference in paragraph 1(2)(a) to staff will mean those staff employed by the University at a time fraction of 0.5 or more.
4. A staff member who holds a position that is dual divisional between Higher Education and TAFE shall only be eligible to nominate for election in one of those divisions.

5. A student whose enrolment is dual divisional between Higher Education and TAFE shall only be eligible to nominate for election in one of those divisions.

Terms and Conditions of Office of Academic Board

6. At the first meeting of the Academic Board constituted under Statute 2.2 each category of the elected staff members as described in paragraph 1(2)(a) above shall divide into two groups as close as possible to even, as determined by the drawing of lots. As the number of elected staff is uneven the members of the odd numbered group shall become vacant on 31 December 2006 and the members of the even group shall become vacant on 31 December 2007 and afterwards the elected staff members will hold office for a term of two years.
7. Elected staff shall hold office for a term of two years with a maximum of three consecutive terms.
8. Elected students will hold office for a term of one year.
9. A co-opted member will hold office for such term as is determined by the Academic Board but such term shall not exceed one year.

Removal and Resignation of Academic Board Members

10. (1) *Where an elected or co-opted member expects to be absent for up to three consecutive Academic Board meetings in a calendar year, the member must seek a leave of absence in writing from the Chair at the first meeting of the Board after it becomes known to the member that the absence is likely.*
- (42) The Academic Board may remove an elected or co-opted member from office if:
 - (a) the member, without the approval of the Academic Board, fails to attend three consecutive meetings;
 - (b) in the opinion of the Academic Board the performance by the member of his or her duties has been found to be unsatisfactory; or
 - (c) in the opinion of the Academic Board the member has engaged in misconduct of a serious and recurrent nature.
- (23) An elected or co-opted member of the Academic Board other than the Chair may resign by writing delivered to the Chair.
- (4) *Where an elected or co-opted member expects to be absent from more than three Academic Board meetings in any calendar year, the member must resign his/her position from the Board by writing delivered to the Chair at the first meeting of the Board after it becomes known to the member that the absence is likely.*
- (35) Any member's office which becomes vacant under this section shall be filled in the manner prescribed for filling of casual vacancies.

Vacancies arising

11. If an elected member of the Academic Board becomes entitled to become an appointed member -
 - (a) that member is deemed to hold office by appointment; and
 - (b) the vacated office of that member shall be filled in the manner prescribed for filling of casual vacancies.
12. If a member of the Academic Board-
 - (a) elected by staff, ceases to be a member of staff; or
 - (b) elected by enrolled students, ceases to be an enrolled studentthat member's office becomes vacant and shall be filled in the manner prescribed for the filling of casual vacancies.

Filling of vacancies arising casually or on retirement

13. (1) If the office of a member of the Academic Board becomes vacant, otherwise than by reason of expiry of the member's term of office, a person shall, subject to this section, be elected to fill the vacancy and to hold office.
 - (2) If the vacancy occurs within three months before the expiry of a member's term of office the office may be left vacant for the remainder of the term.
14. (1) The election of a person as a member of the Academic Board, to fill a vacancy caused by retirement of a member upon the expiration of term of office, will be conducted within three months before the date of expiration of the term of office of the retiring member.
 - (2) Members elected under sub-section 14(1) will assume office at the first meeting of the year following the election, or as soon as practicable after that date.

Chair and Deputy Chair

15. The Academic Board shall elect from its members a Chair and a Deputy Chair.
16. The election of a Chair and a Deputy Chair shall occur during the last quarter of the year preceding the first year in which they shall hold office.
17. (1) The Chair and the Deputy Chair shall hold office for two years ending on the 31st of December in the second year.
 - (2) The Chair and the Deputy Chair are eligible to be re-elected at the end of the Chair or Deputy Chair's term but only for a maximum of three consecutive terms.
18. The Chair may resign by writing delivered to a meeting of the Academic Board.

Attendance by members of the University at Academic Board

19. Subject to this Regulation, members of the University may attend meetings of the Academic Board.

20. Members of the University attending a meeting of the Academic Board shall not speak on any motion or upon any matter before the Academic Board unless invited by the Chair to do so.
21. The Chair may limit the number of persons able to attend a meeting of the Academic Board.
22. Any person in attendance at a meeting of the Academic Board by virtue of this Regulation may by resolution be excluded from the whole or any portion of any part of a meeting of the Academic Board which the Academic Board resolves shall be conducted in camera.

Made 30/10/96 Promulgated 8/11/96
Amendment 1 Made 25/05/06 Promulgated 27/07/06
Amendment 2 Draft 27/02/09

REGULATION 4.1-ACADEMIC DRESS*(AMENDMENTS APPEAR IN STRIKETHROUGH AND ITALICS)***Interpretation**

1. In this Regulation the “colour of the discipline” means-
 - (a) for the disciplines of Applied Science and Computing- the colour of oyster;
 - (b) for the discipline of Arts - the colour magenta;
 - (c) for the discipline of Business - the colour heliotrope;
 - (d) for the discipline of Education - the colour spectrum green;
 - (e) for the discipline of Engineering - the colour spectrum blue;
 - (f) for the discipline of Nursing - the colour apricot.

[SECRETARY'S NOTE: colours for TAFE disciplines to be inserted – ie. Applied Sciences, Business Services, Human Services, Manufacturing Services, UBTec(?)]

Academic dress for the higher education *and technical and further education (TAFE)* divisions

2. The academic dress for undergraduates is a black trencher cap and a black Oxford gown.
3.
 - (1) The academic dress for bachelors (*including for Applied degree recipients*) is a black trencher cap and a black Oxford gown, together with a black hood edged with white binding and lined with the colour of the discipline to which the studies undertaken for the degree relates.
 - (2) The academic dress for bachelors who have undertaken a joint degree is a black trencher cap and a black Oxford gown, together with a black hood lined with the colour purple.
4. The academic dress for masters is a black trencher cap and a black Oxford gown, together with a black hood lined with the colour of the discipline to which the studies undertaken for the degree relates.
5. Academic dress for higher doctorates is a maroon bonnet with gold silk cord and tassel and an Oxford style gown of maroon light weight woollen cloth with gold satin facing and sleeves and a maroon wool cloth hood lined with gold satin.
6. For a doctor of philosophy the academic dress shall be a blue bonnet with a maroon silk cord and tassel and an Oxford style gown of blue polyester and wool cloth with a facing of maroon satin and a blue polyester and wool cloth hood lined with maroon satin.
7. For a professional doctorate the academic dress shall be a black bonnet with a gold silk cord and tassel and an Oxford style gown of black, together with a hood in the colour of the discipline to which the studies undertaken for the doctorate relates, lined with black wool cloth.

7. Academic dress for diplomates and *graduand* certificants is a black trencher cap and a black Oxford gown together with a black stole lined with-
- (a) for diplomas of Business - the colour yellow;
 - (b) for diplomas of Education - the colour spectrum green;
 - (c) for graduate certificates or graduate diplomas of Arts - the colour red;
 - (d) for graduate certificates or graduate diplomas of Arts (Information Management/Librarianship) - the colour orange;
 - (e) for graduate certificates or graduate diplomas of Behavioural & Social Sciences & Humanities, Human Movement & Sports Sciences, Information Technology & Mathematical Sciences and Science - the colour oyster;
 - (f) for graduate certificates or graduate diplomas of Business *or Business Services* - the colour aqua;
 - (g) for graduate certificates or graduate diplomas of Education - the colour spectrum green;
 - (h) for graduate certificates or graduate diplomas of Engineering - the colour spectrum blue;
 - (i) for graduate certificates or graduate diplomas of Nursing - the colour Union Jack red.

[SECRETARY'S NOTE: colours for TAFE disciplines for graduate diplomas and graduate certificate to be inserted – ie. Applied Sciences, Business Services, Human Services, Manufacturing Services, UBTec(?)]

Academic dress for the technical and further education division

8. The academic dress for ~~technical and further education~~:
- (a) certificants I and II is a black Oxford gown;
 - (b) certificants III and IV and diplomates (*other than for those diplomas listed in section 7 above*) is a black Oxford gown and a gold woollen stole with two stripes of blue and maroon satin;

together with a badge which identifies the School to which the studies undertaken for the award relates.

Other academic dress

9. The academic dress of the Chancellor is a black velvet mortar board trencher with gold metallic dome button and tassel and gold metallic braid to the skull or a blue woollen bonnet with gold metallic cord and tassels. The gown is of blue light weight woollen cloth trimmed with gold oak-leaf braid on the facings, yoke and bottom hem; and sleeves with one gold embroidered frog at the shoulder and four chevrons of gold oak-leaf braid below the arm hole. A gold embroidered button and gold tassel are centred on each chevron.
10. The academic dress of the Deputy-Chancellors is a black velvet mortar board trencher with gold metallic dome button and tassel and gold metallic braid to the

- skull or a blue woollen bonnet with gold metallic cord and tassels. The gown is of blue light weight woollen cloth trimmed with gold oak-leaf braid on the facings, yoke and bottom hem; and sleeves with five chevrons of gold oak-leaf braid, one at the shoulder and four below the arm hole. A gold embroidered button and gold tassel are centred on each chevron.
11. The academic dress of the Vice-Chancellor is a black velvet mortar board trencher with gold metallic dome button and tassel and gold metallic braid to the skull or a blue woollen bonnet with gold metallic cord and tassels. The gown is of blue light weight woollen cloth trimmed with gold oak-leaf braid on the facings, yoke and bottom hem; and sleeves with one gold embroidered button and gold tassel at the shoulder and four chevrons of gold oak-leaf braid below the arm hole. A gold embroidered button and gold tassel are centred on each chevron.
 12. The academic dress of members of the Council is the habit of their degrees or a black light weight woollen gown and a stole of gold.
 13. For every other member of the academic or general staff of the University, being a graduate of the University or of another university, the academic dress shall be the habit of that member's degree.
 14. The academic dress of members of the technical and further education teaching staff is the habit of their degrees or a black trencher cap and a black Oxford gown, together with a gold woollen stole with two stripes of blue and maroon satin.
 15. The colour of the discipline and the colours for diplomates and certificants shall be identified according to the British Standard Colour Code.

Made 23/06/99 Promulgated 12/07/99
Amendment 1 draft 270209

REGULATION 5.1 – HIGHER DOCTORATES, THE DEGREE OF DOCTOR OF PHILOSOPHY, PROFESSIONAL DOCTORATES AND MASTERS DEGREES BY RESEARCH

(AMENDMENTS APPEAR IN STRIKETHROUGH AND ITALICS)

PART A – GENERAL
PART B – HIGHER DOCTORATES
PART B – THE SCHEDULE
PART C – THE DEGREE OF DOCTOR OF PHILOSOPHY
PART D -- PROFESSIONAL DOCTORATES
PART D - THE SCHEDULE
PART E - MASTERS DEGREES BY RESEARCH
PART E - THE SCHEDULE

PART A--GENERAL

Commencement

1. This Regulation came into operation on 29 June 1995

Definitions

2. In this Regulation unless the contrary intention appears --

"Committee" means the Research Higher Degrees Sub-Committee established by resolution of the Academic Board.

"Higher Doctoral Degrees Committee" shall be *an ad-hoc* committee of the Council and shall consist of the Vice-Chancellor and at least two other persons *(who will be experts in the relevant discipline)* nominated by the Vice-Chancellor. *Council must approve the membership of the Committee on each occasion prior to the formation of the Committee.*

"Candidate" means a Student whose application for candidature has been approved by the Academic Board.

"Council" means the Council of the University of Ballarat.

"Field work" is research and related activities involving the use of equipment, facilities, and resources which are essential for conduct of the research and not available at the University.

"Full-time" refers to a Candidate whose primary commitment of time is to higher degree scholarship and research, and who is not in employment except on a restricted or casual basis.

"Part-time" refers to a Candidate whose primary commitment of time is not to higher degree scholarship and research, but is nevertheless able to commit an average of 20 hours or more per week to higher degree scholarship and research. In equivalence terms, part-time candidature is half of full-time candidature.

Exercise of powers by Board

3. (1) When exercising the powers conferred upon it by this Regulation, the Academic Board shall consider any relevant recommendation made to it by the Committee and may delegate responsibilities and powers to the Committee or to the Chair of the Committee.
- (2) A Candidate may appeal to the Academic Board against a decision by the Committee relating to assessment, progress or termination of candidature.

Draft Amendment 15 27/02/09

**STATUTE 5.3
THE SCHEDULE
PART I**

(AMENDMENTS APPEAR IN STRIKETHROUGH AND ITALICS)

Rules Governing the Conduct of Assessments.

1. In these Rules-

"examination" means a formal, supervised written or oral examination.

"examination room" means a room in which an examination is taking place or is about to take place.

"publication" means the placement of higher education results, identifying students by student identification numbers only, on Higher Education School notice boards on the prescribed dates.

2. (1) The final result for any unit will not be officially notified to a student before the completion of assessment in that unit and its formal publication.
- (2) Students who owe fees to the University will not have their results published or receive a written statement of academic achievements.
3. With the exception of a recorded telephonic system for the notification of results, no information regarding results will be given by telephone.
4. The appropriate Head of School shall determine whether any supplementary assessment, oral, written or practical, may be administered in a unit.
5. (1) Applications for special consideration may be made on any of the following grounds:
 - (a) that the student's work at any time during the academic year has to a substantial degree been hampered by illness or other cause;
 - (b) that the student has been prevented by a serious or disabling illness or other significant cause from preparing or presenting for all or part of a component of assessment; or
 - (c) that the student was to a substantial degree adversely affected by illness or other cause during the performance of a component of assessment.
- (2) Subject to sub-section 5(3), an application for special consideration should be directed to the appropriate Head of School, not later than three days after the date of submission of the component of assessment.
- (3) Every application for special consideration must be *made in writing by means of a completed Special Consideration Application form and be supported by a ~~medical certificate~~ Health Care Professional Certification in the University's standard form where special consideration is sought on medical grounds*, or other appropriate evidence, unless it has not been reasonably practical for a student to make application within the time specified. Any ~~medical certificate~~ *Health Care Professional*

Certification or other evidence must include sufficient specific detailed information to allow the application to be assessed.

- (4) A decision made in relation to an application under sub-section (2) and (3) shall be notified to the applicant in writing within five working days of the decision being made.
6. (1) If a student is from a non-English speaking background and in their first year of study the student may apply for special examination conditions.
 - (2) The appropriate Head of School will be responsible for determining the eligibility of students from non-English speaking backgrounds and the type of special examination conditions available in formal examination conditions for that School.
7. (1) A student shall not, by act or omission, do anything which has the purpose, or has, or is likely to have, the effect of obtaining for the student or for any other person an advantage, in or arising out of the performance of assessment, by unauthorised or unfair means.
 - (2) In determining whether an advantage is intended, or is likely, to be obtained, the fact that such an advantage is not or could not be obtained due to circumstances beyond the control of the student concerned shall be disregarded.
 - (3) A student shall not assist, or attempt to assist, any person, to do anything prohibited by sub-section (1).
 - (4) Any student committing a breach under this section shall be guilty of a disciplinary offence under Statute 6.1-Student Discipline.

Higher Education Examinations

8. (1) It is the duty of students to ascertain the dates and times at which they are required to attend for the performance of any component of assessment for which formal examinations are required.
 - (2) Absence or lateness due to misreading a timetable or a similar error does not of itself entitle a student to any further examination or special consideration.
 - (3) A student may only apply to a Head of School or nominee to defer an examination in exceptional circumstances. Such application must be *made by means of a completed Special Consideration Application form and be accompanied supported* by appropriate evidence, *including a Health Care Professional Certification in the University's standard form if deferral is sought on medical grounds*, giving sufficient specific detailed information to allow the application to be assessed and relating to the reason for the deferral at least three days before the examination. A student may not normally apply to have an examination deferred more than once in a particular unit in a given teaching period.
9. (1) If a supervisor of an examination believes a student has committed a breach under section 7 the supervisor shall-
 - (a) immediately report the breach to the officer in charge of examinations;

- (b) at the conclusion of the examination, inform the student that he or she has been reported for an alleged breach of discipline and take a statement from the student in relation to the alleged breach, which may be used in the determination of any complaint made under Statute 6.1-Student Discipline; and
 - (c) report the alleged breach of discipline by making a written complaint, within three days of the alleged breach, to the student's Head of School or to the Vice-Chancellor.
- 10. (1) Only those items and information specifically authorised in writing by the Head of the appropriate School may be taken into an examination room. These items may include books, notes, calculators, computers and other electronic devices.
- (2) A supervisor may confiscate any material which the supervisor reasonably believes is not allowed in the examination room.
- 11. In addition to those powers detailed in sections 9 and 10 above, the Head Supervisor may take any reasonable action to ensure good order is maintained within an examination, which includes the power to remove a student from an examination.
- 12. A student who leaves the examination room and wishes to be readmitted must have previously obtained the approval of a supervisor for the full period of absence and must have observed any conditions upon which the approval was given.
- 13. Without express permission of a supervisor no writing of any description may be done after the signal to cease writing.
- 14. Unless otherwise indicated on the official timetable, the following commencement times will apply-
 - (a) morning sessions 9.30 am;
 - (b) afternoon sessions 1.30 pm; and
 - (c) evening sessions 5.30 pm.

Prior to the commencement time, students will have 10 minutes reading time (or such other time as has been authorised in writing by the appropriate Head of School). Examination book covers should be completed after the reading time finishes and the examination commences.

- 15. Students shall not be permitted to leave during the first 30 minutes and the last 10 minutes of any examination. No student shall be admitted after the first 30 minutes of any examination.
- 16. The Head Supervisor is responsible for issuing the following instructions to students at the appropriate times-

"Commence reading/No writing"; "Commence writing"; "Ten minutes writing left"; and "Cease writing".
- 17. Student identity cards must be produced and attendance slips must be completed at the commencement of each examination undertaken.

18. No part of any examination script, book or other University property may be removed from the examination room nor may it be destroyed.

TAFE Assessment

19. All TAFE students shall be entitled to two attempts to achieve competency in any assessable task within any unit enrolment period.
20. Assessment criteria may be added to a unit for the purpose of determining levels of achievement by a TAFE student.

Amendment 1 Made 23/06/99 Promulgated 12/07/99
Amendment 2 Made 28/07/04 Promulgated 17/08/04
Amendment 3 Made 01/12/04 Promulgated 14/01/05
Amendment 4 Made 15/06/05 Promulgated 30/06/05
Amendment 5 Made 23/02/07 Promulgated 20/03/07
Amendment 6 Made 22/07/08 Promulgated 22/08/08
Amendment 7 Draft 27/02/09

STATUTE 5.3 – ASSESSMENT
THE SCHEDULE-PART II
 (AMENDMENTS APPEAR IN STRIKETHROUGH AND ITALICS.
 FOR EASE OF REFERENCE , NEW CODES ADDED POST 22 SEP 2008
 ARE **HIGHLIGHTED IN YELLOW**)

The following grade descriptors indicate the level of overall student performance in a unit. The criteria for each graded assessment must be included in the Unit Description. Where percentages are used to indicate the level of student performance the mechanism for undertaking any normalisation or standardisation of percentage scores must be included in the Unit Description.

The system of codes used to record results of assessment:

1. Pre-1996:

<i>Code</i>	<i>Grade</i>
<i>A</i>	<i>Excellent</i>
<i>B</i>	<i>Very Good</i>
<i>C</i>	<i>Good Pass</i>
<i>D</i>	<i>Moderate Pass</i>
<i>E</i>	<i>Marginally Below Pass</i>
<i>F</i>	<i>Considerably Below Pass</i>
<i>M</i>	<i>Grade Deferred (Medical grounds)</i>
<i>W</i>	<i>Withdrawn from Unit</i>
<i>S</i>	<i>Ungraded Pass</i>
<i>X,Y</i>	<i>Grade Deferred (Other)</i>
<i>U</i>	<i>Ungraded Non Pass **</i>
<i>*</i>	<i>Current Unit</i>

(**Equivalent to UN Grade post-1996)

2. 1 January 1996 – 21 September 2008:

A. Codes for Honours Degrees and Degrees with Honours:

Code	Grade	Description	Percentages
H1	First Class Honours	The student's work demonstrated sophisticated understanding and critical synthesis of the field of knowledge and/or an originality or insight; and/or sophisticated understanding of methodology which permits the work to make a useful contribution to knowledge and discourse in its field.	80 – 100
H2A	Second Class Honours, Upper	The student's work demonstrated substantial understanding and critical synthesis of knowledge and/or methodology; and/or makes a useful application of knowledge in the field.	70 – 79
H2B	Second Class Honours, Lower	The student's work demonstrated substantial understanding of	60 – 69

		knowledge and/or methodology; and/or makes a useful application of knowledge in the field.	
H3	Third Class Honours	The student's work demonstrated an acceptable understanding of knowledge and/or methodology; and/or makes a useful application of knowledge in the field.	50 – 59
N	Fail	The student's work failed to demonstrate an acceptable understanding of knowledge and/or methodology; and/or make a useful application to knowledge in the field.	0 – 49

B. Codes for units with graded assessment:

Code	Grade	Description	Percentages
HD	High Distinction	In addition to the passing requirements, the student's work demonstrated a consistently high level of performance on all criteria for assessment.	80 – 100
D	Distinction	In addition to the passing requirements, the student's work demonstrated a consistently high level of performance on most criteria for assessment.	70 – 79
C	Credit	In addition to the passing requirements, the student's work demonstrated a sound level of performance on the criteria for assessment.	60 – 69
P	Pass	The student's work demonstrated a satisfactory level of performance on the criteria for assessment.	50 – 59
MN	Fail Level 1	The student's work marginally failed to demonstrate a satisfactory level of performance on the criteria for assessment, but nevertheless shows potential for improvement.	40 – 49
NN	Fail Level 2	The student's work demonstrated serious failure to achieve a satisfactory performance on the criteria for assessment.	0 – 39
XN	Not assessed	The student did not complete any assessed work.	

C. Codes for units with ungraded assessment:

Code	Grade	Description
S	Ungraded pass	The student has completed work that meets all the requirements and level of performance as prescribed.
UN	Ungraded fail	The student has failed to complete work that meets all the requirements

		and/or level of performance as prescribed.
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D. Codes for incomplete assessment:

Code	Grade	Description
AD	Assessment deferred – up to 3 months	Final assessment deferred up to 3 months with the written approval of the Head of School, otherwise the assessment lapses to a fail.
TD	Assessment deferred – up to 12 months	Final assessment deferred up to 12 months with the written approval of the Head of School, otherwise the assessment lapses to a fail. In exceptional circumstances the Head may approve an extension beyond 12 months. In the case of higher degrees by research, the grade may be approved in writing by the Vice-Chancellor or nominee and in exceptional circumstances may be extended.
ZN	Supplementary assessment to be completed within 3 months	Final assessment deferred to enable completion of supplementary tasks within 3 months.

E. Codes for administrative purposes which do not appear in records of results:

Code	Definition	Description
W	Withdrawn	Withdrawn without academic penalty.
E	Unit exemption	Unit exemption on the basis of approved credit.
O	Ongoing	The work and/or research is ongoing.

3. From 22 September 2008:

A. Codes for Honours Degrees and Degrees with Honours:

Code	Grade	Description	Percentages
H1	First Class Honours	The student's work demonstrated sophisticated understanding and critical synthesis of the field of knowledge and/or an originality or insight; and/or sophisticated understanding of methodology which permits the work to make a useful contribution to knowledge and discourse in its field.	80 – 100
H2A	Second Class Honours, Upper	The student's work demonstrated substantial understanding and critical synthesis of knowledge and/or methodology; and/or makes a useful application of knowledge in the field.	70 – 79
H2B	Second Class Honours, Lower	The student's work demonstrated substantial understanding of knowledge and/or methodology; and/or makes a useful application of knowledge in the field.	60 – 69
H3	Third Class Honours	The student's work demonstrated an acceptable understanding of knowledge and/or methodology; and/or makes a useful application of knowledge in the field.	50 – 59
F	Fail	The student's work failed to demonstrate an acceptable understanding of knowledge and/or methodology; and/or make a useful application to knowledge in the field.	0 – 49

B. Codes for units with graded assessment:

Code	Grade	Description	Percentages
HD	High Distinction	In addition to the passing requirements, the student's work demonstrated a consistently high level of performance on all criteria for assessment.	80 – 100
D	Distinction	In addition to the passing requirements, the student's work demonstrated a consistently high level of performance on most criteria for assessment.	70 – 79
C	Credit	In addition to the passing requirements, the student's work demonstrated a sound level of performance on the criteria for assessment.	60 – 69
P	Pass	The student's work demonstrated	50 – 59

		<i>a satisfactory level of performance on the criteria for assessment.</i>	
MF	Marginal Fail	<i>The student's work marginally failed to demonstrate a satisfactory level of performance on the criteria for assessment, but nevertheless shows potential for improvement.</i>	40 – 49
F	Fail	<i>The student's work demonstrated serious failure to achieve a satisfactory performance on the criteria for assessment.</i>	0 – 39
XF	Non-assessed Fail	<i>The student did not complete any assessed work.</i>	

C. Codes for units with ungraded assessment:

Code	Grade	Description
S	Ungraded pass	<i>The student has completed work that meets all the requirements and level of performance as prescribed.</i>
UN	Ungraded fail	<i>The student has failed to complete work that meets all the requirements and/or level of performance as prescribed.</i>

D. Codes for incomplete assessment:

Code	Grade	Description
AD	Assessment deferred – up to 3 months	<i>Final assessment deferred up to 3 months with the written approval of the Head of School, otherwise the assessment lapses to a fail.</i>
TD	Assessment deferred – up to 12 months	<i>Final assessment deferred up to 12 months with the written approval of the Head of School, otherwise the assessment lapses to a fail. In exceptional circumstances the Head may approve an extension beyond 12 months. <i>In the case of higher degrees by research, the grade may be approved in writing by the Vice-Chancellor or nominee and in exceptional circumstances may be extended.</i></i>
ZN	Supplementary assessment to be completed within 3 months	<i>Final assessment deferred to enable completion of supplementary tasks within 3 months.</i>

E. Codes for administrative purposes which do not appear in records of results:

Code	Definition	Description
W	Withdrawn	<i>Withdrawn without academic penalty.</i>
TC	Ungraded Credit Transfer	<i>Unit exemption on the basis of</i>

		<i>approved credit.</i>
<i>LW</i>	<i>Applied for Late Withdrawal</i>	<i>Withdrawn after the stipulated withdrawal cut-off date.</i>
<i>O</i>	<i>Ongoing</i>	<i>The work and/or research is ongoing.</i>

Amendment 1 Made 08/12/99 Promulgated 07/01/00
Amendment 2 draft 27/02/09