

University of Birmingham

A Paper outlining proposed amendments to Regulations with reference to institutions or organisations offering programmes leading to University of Birmingham awards

Topic and Purpose of the Paper

1. APRC is asked to **consider**, and if thought appropriate, **approve** the removal in its entirety of Regulation 6.4.3, an amendment to Regulation 6.4.1, relating to Regulations of institutions or organisations offering programmes leading to University of Birmingham awards, with immediate effect, and an amendment to Regulation 6.4.4, relating to appeals within collaborative agreements.

Consultation

2. The amendments were requested by Clare McCauley (ASA) in consultation with Legal Services.

Proposals/Recommendations

3. That Regulation 6.4.3 is removed in its entirety:

~~Those institutions or organisations offering programmes leading to University Awards must ensure their regulations are broadly comparable to those of the University. Senate or its delegated authority will determine whether such regulations are comparable to those of the University.~~

4. That Regulation 6.4.1 is amended to clarify which Regulations collaborative partners are required to adhere to:

*Collaborative arrangements for institutions or organisations offering programmes of study leading to awards of the University or dual or joint awards with other institutions or organisations are subject to ~~these~~ Regulations **5 - 8**, but may be subject to separate programme regulations approved by Senate or its delegated authority. In the event of conflict between ~~these~~ Regulations **5 - 8** and the separate programme regulations, the separate programme regulations applicable to the collaborative arrangements shall apply. Such institutions or organisations shall not be involved in establishing Regulations for the University of Birmingham, but will be kept informed of any changes.*

5. That Regulation 6.4.4 is amended as follows:

*Registered Students on programmes leading to University Awards have the right to make one final appeal to the University on the grounds of procedural or administrative irregularity in the operation and implementation of the programme regulations on the part of institutions or organisations concerned. Such an appeal may only be undertaken after the appeal procedure of the institution or organisation offering the programme of study has been exhausted **and providing that this does not conflict with any formalised agreement already in place between the University of Birmingham and the collaborative institution.***

Arguments to Support Proposals

6. It is noted that Regulation 6.4.3 is contradictory to Regulation 6.4.1. Regulation 6.4.1 states that institutions offering collaborative arrangements are subject to the Regulations of the University of Birmingham, yet Regulation 6.4.3 states that

institutions offering programmes leading to University Awards must ensure their regulations are **broadly comparable** to those of the University. As an institution offering collaborative arrangements is subject to the Regulations of the University of Birmingham, it is noted that the wording of 6.4.3 could be misleading, and lead to confusion as to which institutions' Regulations should take precedence. The removal of Regulation 6.4.3 will remove this potential confusion.

7. It is noted that Regulation 6.4.1 refers to "these Regulations" rather than to the specific Regulations to which it relates, and that it was unclear as to which Regulations the collaborative institution was subject to. Therefore it is proposed that the relevant Regulations are specified for clarity.
8. Regulation 6.4.4 states that an appeal against the University of Birmingham may only be undertaken providing that this does not conflict with any prior agreement already in place between the University of Birmingham and the collaborative institution in question. This is contradictory to at least one collaborative agreement already in place, which has resulted in a request for an exemption from this particular Regulation. It has been suggested that adding in the suggested form of words would avoid any future conflict between the Regulations of the University of Birmingham and the wording of the terms of the collaborative agreement in relation to this section. This would not affect any other collaborative agreements, as currently this is the only agreement where this is the case; however it would clarify matters for the future.

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