ACADEMIC REGULATIONS 2022-2023

Approved by: Academic Board

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# Section 1 – Introduction

### **Introduction to the Academic Regulations**

Successful study at Marbella International University Centre (“MIUC”) is based upon a collaboration between students and staff, and MIUC strives to provide the best possible learning environment and student services. To support that environment, MIUC has adopted a set of rules, regulations and policies.

All staff and students must adhere to the MIUC’s Academic Regulations. MIUC treats all students fairly and equally, and takes strict measures to avoid bias in its processes. MIUC makes reasonable adjustments to its processes when necessary to make sure that a student is not disadvantaged because of any specific characteristics protected by law.

The General Administrator shall assume overall responsibility and authority for the operation of MIUC regulations. The General Administrator, or authorised nominee, is allowed to use their discretion when applying the academic regulations in exceptional circumstances, as long as any variation is reasonable, and is clearly recorded.

MIUC reserves the right to amend the Academic Regulations. The amendments will be published on MIUC website.

### **Approval of Regulations, Courses and Modules**

#### The Academic Board is responsible for the management of the academic standards and quality of courses leading to awards of the University. The Academic Regulations shall be approved by the Academic Board.

#### The Academic Board shall approve courses of study and individual modules, including any amendments and closures. MIUC reserves the right to amend any course of study or module, and to withdraw any course of study or module where there are insufficient students, to ensure that courses remain current and also in response to staff changes.

### **Academic Credit Accumulation Scheme**

#### A student must undertake an approved course of study, or approved combination of modules according to the course specifications, and meet the compulsory and core elements for progression from one year of study to the next and for an award. Courses are carefully constructed combinations of academically coherent core and optional modules whose successful completion leads to an award.

### **Award of Academic Credit**

#### The award of academic credit relates to achievement in individual modules. Academic credit shall be awarded to a student who meets the requirements to pass the module in question.

#### The academic credit awarded shall be that approved for the module; the amount of academic credit awarded shall not vary in accordance with the level of achievement. The level of achievement shall be reflected by the module mark.

### **Student Conduct**

## Students are required to comply with the Student Code of Conduct. https://miuc.org/study-in-spain-in-english/student-contract/student-code-conduct/

# Section 2 – Admissions

### **Admissions**

### **Admissions Overview**

#### Applicants must apply to MIUC in the prescribed manner for a particular course of study and fulfil the admissions requirements in accordance with the Academic Regulations and course requirements which are set out in the appropriate course specifications.

#### MIUC uses admissions requirements to admit students to courses if it considers them to have a reasonable expectation of completing the award and achieving the required standard. Applicants are considered based on their previous attainment (for example, qualifications and experience) and where relevant, evidence of potential. Admission requirements to MIUC are published on the University’s website.

#### All offer holders must declare whether they have any unspent criminal convictions. The University will consider whether such convictions are compatible with membership of the University and, in particular, with a place on a course.

### **Recognition of Prior Learning and Admission with Advanced Standing Credit**

#### MIUC makes provision for admission with advanced standing. Advanced standing is quantified in terms of academic credit to ensure that the overall academic credit requirements for an award are met.

# A student may be awarded credit in recognition of academic (within MIUC and outside MIUC) or vocational study completed elsewhere, or of equivalent experiential learning. Credit may be awarded in relation to a specific module or as general credit.

# Advanced Standing is a term used to confirm that a student may enter a MIUC course at a stage later than the normal entry point. Advanced Standing for individuals with prior academic credit can be awarded through Recognition of Prior Certificated Learning (RPCL) or Recognition of Prior Experiential Learning (RPEL) or a combination of both.

# RPCL and/or RPEL may not be claimed for a Masters Degree dissertation/capstone project and for a Bachelor Degree dissertation/capstone project.

# Credits awarded via RPCL and/or RPEL shall normally be transferred without marks.

# Rescinding of Awards

# A student cannot have two awards at any one time for the same academic work; a student therefore will have to rescind their original award to gain the new qualification via the process of Recognition of Prior Learning and/or Admission with Advanced Standing Credit.

# For example where the student has met the requirements of an alternate award, and requests to have that award conferred in place of the original award, the certification documentation for the original award must be rescinded (returned) to the University before a new award can be conferred.

# Revocation of Awards

# MIUC can revoke awards following investigation where an award is found to have been obtained by fraud or deception including unfair practice.

# MIUC may revoke an award made under these regulations where a graduate has not met the requirements of the award conferred or where the award has been obtained due to administrative error or irregularities in the conduct of the Assessment Board.

# All cases shall be considered on a case-by-case basis by the Academic Board, or its delegated authority.

# Falsification of Documents

# Where a student secures admission to MIUC based on qualifications, documents or statements that are subsequently found to be false or revoked or invalid, MIUC shall review the student’s registration.

# A student who intentionally enrols or registers with MIUC under a false name or identity, or with other information that is subsequently found to be false, shall have their registration and enrolment terminated and would cease to be a student of MIUC.

# Permission to Study in Spain

# All international students, including those living in Spain but without indefinite leave to remain, must provide documentary evidence of their immigration status. Any changes to immigration status must be notified immediately to MIUC Foreign Affairs & Admissions Office and supported with official documentation. Changes to status include those that mean students no longer require visas, changes in immigration category, application refusals and Administrative/Judicial Review outcomes. Any student who fails to comply with these requirements may have their registration and enrolment terminated, and will cease to be a student of MIUC.

# Section 3 – Enrolments and Tuition Fees

### **Enrolments and Tuition Fees**

### **Enrolment and Registration**

### Students must enrol with MIUC at the beginning of their studies, and re-enrol at the beginning of each following academic year of their course, in accordance with instructions issued by MIUC. A student must also register for a course of study with MIUC, and for the modules associated with that course. A student who is not registered for a course cannot be enrolled with MIUC.

### The student name recorded at enrolment and registration will normally be the name in the student’s passport.

### All letters, transcripts, certificates and awards shall be issued in the name under which a student is enrolled. MIUC requires students to produce documentary evidence of identity upon initial enrolment; this may be required in advance.

### Any request to record a change of name must be made in writing, or by any other valid means, and supported by appropriate documentary evidence. MIUC shall not issue revised documents for those who change their names after receiving an award, except where there has been an administrative error or following gender reassignment.

### Students are required to notify MIUC of their permanent home and term-time addresses upon enrolment, and shall inform MIUC in writing, or by any other valid means, of any subsequent changes of address.

### Students who have not complied with all MIUC requirements for enrolment or re-enrolment may be temporarily enrolled and registered for a specified period of time (normally **within 2 weeks**) during which they may attend and use MIUC facilities. Students who do not produce the required documents within the specified deadline may be withdrawn from MIUC.

### In exceptional circumstances, a student may be registered for a course of study but not enrolled (normally where a student has deferred, or is resitting). Where termination of a student’s registration occurs, enrolment is also terminated.

### **Student Identity Card**

### All students shall be issued with a University Identity Card that includes a photograph showing the full head and face. There shall be no head covering in the photograph, unless it is worn for cultural, religious or medical reasons.

### Students shall carry their University Identity Card at all times when on MIUC, or when participating in MIUC activities.

### **Tuition Fee Payment**

### Fees are paid for each year of study and based upon the standard number of credits per year and the number of years of study. Fees will be adjusted if additional or fewer credits each year are studied.

### Students are required to re-enrol and pay any fees that may be due at the beginning of each academic year.

### Students who withdraw from MIUC will be liable for fees up until formal notification of their withdrawal is received by MIUC. Students should refer to the Tuition Fees and Refund Policies https://miuc.org/admissions/tuition-fees/.

### Students who have tuition fee debts with MIUC may not be allowed to re-enrol for the following academic year.

### A student who has outstanding tuition fee debt to MIUC will not be permitted to attend any graduation or awards ceremonies and certificates and transcripts will be withheld until all tuition fee debts to MIUC are paid in full.

### Students who are in debt to MIUC may have their enrolment terminated. The termination will be undertaken by the Foreign Affairs & Admissions Officeon the advice of the Finance Department where a student has made no attempt to pay an outstanding tuition fee debt. Such a termination may be overturned on payment or a satisfactory agreement to pay the debt.

### **Change of Course of Study**

### An enrolled student may request to transfer to a different course of study within MIUC. All requests for transfer shall be considered by the relevant Course Leader taking into account factors including the student’s academic achievement, course entry criteria and availability of places. For international students consideration will also be given to their visa status compliance.

### **Modes of Study**

### A student enrolled with MIUC and registered for a course shall undertake the course in accordance with the specified mode of study. Change of mode of study is permissible where appropriate. The following modes of study apply:

### a) full-time study; b) part-time study; c) compulsory placement or internship; d) distance and blended learning; e) part-time intensive study; f) accelerated degree; g) block release.

### Students must also refer to the Foreign Affairs & Admissions Office regarding any implications of a change of mode of study to their funding.

# Section 4 – Module Registration and Attendance

### **Module Registration and Attendance**

### **Module Registration**

### Students shall be responsible for registering for the modules associated with their course of study by the published deadlines, and in accordance with the stated procedures.

### Any enrolled student who has not completed module registration by the specified deadline shall be registered for a diet of modules designated by MIUC. This shall include allocation to modules where students might normally have been able to choose; the opportunity of choice will no longer be available.

### A student who transfers to another module shall replace the initial module taken with the new module, subject to academic approval.

### **Exchanges and Study Abroad**

### For certain courses and awards, a student may be permitted to spend up to one academic year (normally excepting the first year and the final year; MIUC recommends Exchanges and Study Abroad at Level 5) at another institution of University status abroad. This study shall replace study at the MIUC, and shall be known as an exchange or study abroad period.

### Permission to undertake an exchange or study abroad period shall be granted in accordance with procedures approved by the Academic Board.

### The Exchange and Study Abroad Scheme uses the European Credit Transfer System (ECTS). A full-time undergraduate student’s academic workload is deemed to be 60 ECTS in a full year, or 30 ECTS per semester. (Two UK credits = 1 ECTS credit.)

### All study abroad students will be expected to take a minimum of 30 ECTS credits per semester.

### Any MIUC Dissertation, Project or Capstone Project module may not be substituted as part of an exchange.

### Results achieved for modules taken during an exchange or study abroad period shall count towards the classification of the award from the University. In some cases, and as approved by the Academic Board, the results achieved may be subject to rescaling and weighting to bring them in line with equivalent marks and results awarded by the University; scaling and weighting methods shall be approved by the Academic Board, and shall be subject to review.

# Section 5 – Attendance and Engagement

### **Attendance and Engagement**

### **Attendance and Engagement Requirements**

### Students are expected to attend regularly all forms of learning activity associated with their course of study, and to engage in their course as required by the MIUC’s Attendance Monitoring Policy.

### Engagement refers to the expectations of the University related to a student’s engagement whether on-site or remote, with the learning, teaching and assessment requirements of their course of study specified in the Course Handbook and Module Study Guides. In specified modules, assessment credit(s) may be linked to mandatory attendance.

### MIUC shall specify and publish semester dates and hours of operation on the MIUC main website.

### Each student shall ensure that they are registered for the correct number of modules and the appropriate choice of modules. Students should ensure they comply with the requirements of attendance, learning and assessments.

### All students are required to engage with all assessment tasks for the modules for which they are registered, as prescribed in the relevant Module Study Guides.

# Section 6 -Conduct of Assessment

### **Conduct of Assessment**

### **Assessment Principles**

### The purpose, structure, associated learning outcomes, type and format of assessment and reassessment, including relevant weightings and thresholds where applicable for each module shall be set out in the approved module and course specifications as approved by the Academic Board, or its delegated authority.

### Students will be informed via the Module Study Guides of the arrangements for teaching and learning, the module content, and the assessment and reassessment requirements at the start of a student’s academic year. Students must make themselves available during the entire examination and assessment period and where relevant the resit examination period, and not make any holiday arrangements during this time.

### The design and setting of all assessment shall be the responsibility of the relevant Course and Module Leaders, in accordance with the approved module specifications.

### Students must adhere to any published dates and deadlines for all assessments.

### A student unable to participate in any assessment on the specified date, due to medical or other reasons beyond their control, should refer to Section on Exceptional Circumstances.

### All material submitted for assessment, including formative assessment, shall be the student’s own work (including where group work specifically forms part of the assignment). All quotations from the published or unpublished work of other persons or organisations must be properly attributed, both at the appropriate point in the text and in the bibliography.

### Where the modules are no longer taught, related assessment(s) shall normally be offered for one year after the specific discontinuation date of the modules). Course Leader will offer alternative forms of assessment beyond that date, if required.

### Reasonable adjustments for students may be made on the advice of the Counsellor on an individual basis to compensate for any restriction imposed by a disability and/or unforeseen circumstances, provided this does not compromise the achievement of the learning outcomes. Special arrangements for individual examinations must be approved by the Wellbeing Team and will be notified to the Registrar Office.

### The alternative assessment must be approved by the Course/Module Leader.

### Where a member of academic staff or an invigilator suspects a student of committing an academic offence, the allegation shall be investigated in accordance with the Academic Offences Regulations.

### **Coursework**

### Assessed coursework is coursework that students are required to complete and submit, and which contributes in whole or in part to module marks and awards. Types of coursework include:

### Written Assignment = report, essay, short-essay, review, analysis, case study, creative and professional written brief, dissertation/capstone project, literature review, research method essay, research proposal, multiple choice questions, mathematical/statistical problem, online task, web-based exercise, translation.

### An undergraduate dissertation/capstone project is an extended piece of approved research and writing on a single subject. It is typically completed in the final year of a degree course and the topic is chosen based on a student’s own area of interest.

### A postgraduate dissertation requires a higher level of originality and is longer and more complex in relation to the research requirements.

### b) Oral Assignment = individual or group presentation, discussion, defence, pitching, performance, teaching;

### c) Portfolio = a series of short written, creative, linguistic or mathematical tasks or artefacts collected as part of one assignment;

### d) Artefact = a single piece of work for example, visual, audio, software, composition, design or artistic output; e) Practical = experiment, clinical, educational, practice-based assignment.

### The School/College shall inform students of any penalties applied to the late submission of coursework.

### Students should refer to the Module Study Guide regarding any assessment requirements and any penalties which may apply, for example, word limits.

* 1. Penalties for Late Submission of Assessment

6.3.1. A student unable to complete coursework (including dissertations/capstone projects) by the specified date owing to medical or other reasons beyond their control, should refer to Section 13 - Exceptional Circumstances.

6.3.2. When the student fails to meet the original deadline and has not obtained an extension or requested mitigation of assessment: a) if the assessment is late up to a maximum of 10 calendar days from the original deadline, the assessment mark will be capped at the pass mark for the element of assessment. b) If the assessment is late by over 10 calendar days, the piece of work will be deemed a Non-Submission.

**Section 7 -Examinations**

### **Examinations**

### **Setting of Examination Papers**

### The Academic Board, or its delegated authority, shall approve minimum prescribed standards for the production and security of examination papers. Examination question papers shall be produced to meet these standards.

### Students must not gain access to any examination paper before it is sat. Breaches of this regulation shall be deemed an academic offence, and dealt with under the Academic Offences Regulations.

### **Examination Timetable**

### MIUC shall make the examination timetable available for students, detailing the dates, times, and venues of all invigilated examinations for their registered modules. MIUC shall publish the full examination timetable at least three weeks before the first examination occurs; any necessary amendments may be made to the published timetable, and shall be published.

### Students shall be responsible for informing themselves of the dates, times, and venues of their examinations including resit examinations, checking the details of their personal timetables and making enquiries on possible examination timetable clashes, or omissions. Students should regularly check for amendments to the full examination timetable.

### **Oral Examinations**

### Oral examinations must be conducted by at least two academic staff from a cognate subject area or recorded. Students may only bring authorised materials to oral examinations. The possession or use of unauthorised materials shall constitute an academic offence -see Section on Academic Offences.

### **Invigilated Examinations**

### All examinations will be invigilated and students will remain under continuous supervision for the duration of each examination. All incidents or abnormalities that occur during an examination shall be recorded and reported by the Invigilator.

### The Module Leader, or authorised nominee, must normally be present for the first 20 minutes of each invigilated examination to provide any clarifications needed. Where no Module Leader is present (including after the first 20 minutes) and any student query cannot be resolved by any reasonable means the Invigilator shall record any queries in their report.

### Students found to have cheated or committed some other form of academic offence will be dealt with under the Academic Offences Regulations.

### Where students leave examinations outside of the permitted timescales, the Invigilator must log the time that the student leaves the examination.

### **Illness and Mitigating Circumstances for Invigilated Examinations**

### Please refer to Section on Exceptional Circumstances.

**Section 8 -Undergraduate Regulations**

### **Undergraduate Regulations**

### **Scope of Undergraduate Regulations**

### These regulations shall apply to all students enrolled and registered for undergraduate courses of study at MIUC.

### **Module Passes**

### The pass mark for all modules is 40% for all undergraduate awards. Module marks are rounded up or down to the nearest whole number; for example, a mark of 44.5% and above will be rounded up to 45%, and a mark of 44.4% and below will be rounded down to 44%.

### The module requirements, outlined in the Module Study Guide, shall specify the elements of assessment that must be passed, those that must be taken and those that are optional. If a module has multiple elements of assessment, the mark is calculated on all elements to one overall module mark. Where a student is required to pass individual elements of assessment, the pass mark for those elements shall match that of the module.

### A student may not resit the module assessment(s) or retake a module that has been passed.

### Failure to submit to assessment is considered a Non Submission.

### **Number of Module Attempts at Level 3, 4, 5, 6**

### For all modules at Levels 3, 4, 5 and 6 there shall be a maximum of two permitted attempts within each module registration to pass each module. There shall be two standard permitted attempts within each module registration to pass each module: a first sit and a resit. This means that a student will have one capped resit for each module.

### If a student fails resits, they may retake the module one further time. All resits and retakes should be taken at the next available opportunity.

### No more than two modules and 20 ECTS credits in total may be compensated within the Level.

### **Resits**

### A resit is the repeat of all or part of a module’s assessments, following failure at a previous attempt including Non Submission. Resits do not involve reenrolment and attendance at classes.

### Ether the individual element assessment mark or the overall module mark will be capped at the minimum pass mark, 40%, whichever awards the highest mark to the student.

### The highest module mark, and/or the highest element mark will stand. For example where a first sit of an element achieved a higher element mark than the resit element attempt, the first sit element mark will be reinstated.

### Where a student chooses not to undertake the resit of the element, the original first sit element mark will be retained.

### In the event of a resit failure, the highest module mark (best fail) at module level will stand.

### Where a student chooses not to undertake the resit of the module, the original module mark will be retained.

### In exceptional circumstances, the Academic Board may determine alternative forms of assessment for resits. Alternative assessment must test the same module learning outcomes.

### A student due to resit shall normally sit the failed elements of assessment only and the marks for any elements that were passed on the first attempt shall stand.

### Where a student submits evidence of mitigating circumstances the regulations are outlined.

### Where a student has failed a resit attempt they will be given the opportunity to retake the module, as defined in the section below.

### **Retakes**

### A retake is the repeat of a module following failure at a previous attempt including failure due to Non Submission. Retakes normally involve reenrolment, attendance, payment of tuition fee and completion of all elements of the module, and the submission of all assessments. They count towards the value of academic credit for which students must normally be registered in an academic year. The assessment mark(s) for a retake of a module is not capped.

### If a student fails a retake module assessment at the first attempt, they are eligible for one capped resit.

### The module retake mark will replace the mark from the first attempt. In the event of failure of the retake of the module, if the mark achieved for the original module attempt is the higher module mark, the higher mark, or best fail, will stand.

### Where a retake is granted, the student must normally attempt the same module that they originally attempted.

### If a student does not submit to the assessment for the retake, this will count as one failed attempt.

### **Compensation**

### The Compensation regulation is applied to all undergraduate courses, as specified in the approved course specifications.

### Prior to the ratification of marks at a Progression and Award Board or at a Joint Assessment Board, students who fail the assessment(s) where module compensation is applicable, shall be eligible for a resit attempt.

### Compensation shall be automatically applied only after the resit attempt. For all final year students, compensation can be applied at without a resit in order to facilitate completion for graduation, however the resit attempt should be offered to these students.

### Students who fail modules will receive compensation for up to a maximum of 20 ECTS credits over two modules at Level 3; a maximum of 20 ECTS credits over two modules at Level 4; a maximum of 10 ECTS credits in one module at Level 5 and a maximum of 10 ECTS credits in one module at Level 6 (excluding the dissertation/capstone project, as defined in section 6.2.1) provided that:

### a) an average mark of 40% or more has been achieved across 60 ECTS s at that Level (including any failed modules); and

### b) the final mark for any individual module to be compensated is at least 30%.

### For example, where a student passes Level 5 overall, but fails two Level 5 modules of 10 ECTS (20 ECTS credits in total) one Level 5 module with a mark of at least 30% can be compensated and the student would need to retake the other failed Level 5 module.

### A student who receives a compensated pass in a module will not be entitled to a resit or retake of that module.

### A student who receives a compensated pass in a module shall be awarded the credit for the module.

### **Progression Requirements**

### To progress from one level of study to the next, a student must meet all course and module requirements.

### Where a student has passed all modules (including compensated passes), the student may progress to the next Level of study.

### MIUC-UWL students can progress with 50 ETCS at the current level.

### MIUC students can progress with 30 ETCS credits at the current level.

### **Failure to meet Progression Requirements**

### Where a student has failed a resit attempt in one module, the student may progress to the next Level with one retake in that module.

### **Awards**

### Students are registered on a course of study leading to a specified award.

### The title of the award that may be achieved by a student following an approved course of study will be determined at the point of validation. The combination of the modules which lead to a particular named award(s) will also be determined at the point of validation and recorded in the course specifications.

### **Award Requirements**

### To be eligible for an undergraduate award, a student must:

### a) meet the requirements for the validated course of study for which they are registered;

### b) meet the requirements for the duration of the registration;

### c) take the required total credit value for the award;

### d) meet the minimum credit value at the level of the award;

### e) meet the progression requirements at the end of each Level, and be in the final Level for the award;

### f) UWL-MIUC students meet the requirements for an Exit Award approved at validation;

### g) meet any other course-specific requirement as detailed in the course specification, course handbook, terms and conditions or enrolment form and any other related regulatory requirements to the course.

### A module previously counted towards an exit award for UWL-MIUC students cannot be included to contribute towards a new qualification.

### **Requirements for an Exit Award UWL-MIUC students of Certificate of Achievement at Level 3**

### To be eligible for the Certificate of Achievement at Level 3, a student must:

### a) take and pass modules to a total value of 60 ECTScredits at Level 3 or higher. These may include compensated passes for up to two modules with a total credit value of up to 40 credits;

### b) achieve a minimum average module mark of 40% across the 60 ECTS credits.

**Section 9 – Postgraduate Taught Regulations**

### **Postgraduate Taught Regulations**

### **Scope of Postgraduate Taught Regulations**

### These regulations shall apply to all students enrolled and registered for taught postgraduate courses of study at MIUC. These regulations shall also apply to students registered on taught postgraduate courses with academic partners and accredited courses of MIUC.

### **General Requirements**

### Students who have been awarded qualifications of MIUC may not subsequently present themselves for re-examination for that award in the same subject or branch of study.

### **Award of Academic Credit**

### The specific minimum credit value of each award is shown in the table below:

|  |  |
| --- | --- |
| **Award**  | **Minimum credits required**  |
| Taught Masters Degree  | 60 ECTS |
| Two Years Master | 120 ECTS |

### **Submission to Assessment**

### A full-time student enrolled on a postgraduate taught course of study must submit to assessment for 60 ECTS in any one calendar year and 90 ECTS credits for UWL validated postgraduate course. Where the final assessment for a module falls outside the academic year the student must submit to assessment for this module at the first opportunity.

### A part-time student must submit to assessment for all the modules on which they are enrolled for each academic year of their course.

### In order to be regarded as having submitted to assessment a student must have either:

### a) undergone the final assessment of the module; or

### b) passed the module, where this can be achieved without undergoing the final assessment.

### Failure to submit to assessment is considered a Non Submission.

### **Module Passes**

### The pass mark for modules for postgraduate courses is 50%. Module marks are rounded up or down to the nearest whole number.

### The module specifications may comprise a number of elements of assessment and requirements that must be completed in order to pass, such as a minimum threshold mark for one or more assessment components.

### To pass a module, a student must undertake the approved assessment for the module, meet all requirements for a pass as specified in the Module Study Guides, and achieve a mark of 50% or more in Level 7 modules (for all Level 6 modules, the pass mark will remain 40%). Where the module comprises more than one element of assessment, these elements of assessment shall normally be aggregated to one overall mark for the module. The elements of assessment may be weighted as specified in the Module Study Guides.

### A student may not resit the module assessment(s) or retake a module that has been passed.

### **Number of Module Attempts**

### A maximum of two attempts shall normally be permitted to pass a module. The two attempts shall comprise one first attempt and one resit attempt. A student has a right of one capped resit for each module. If a student fails resit, they may retake the module one further time. All resits and retakes should be taken at the next available opportunity.

### **Resits**

### Resits do not involve attendance at classes, and shall not count towards the total value of academic credit for which students are registered during the academic year of the resit.

### A student who has failed a module at Level 7 i.e. achieved a mark below 50%, including Non Submission, is entitled to a resit attempt of the failed element(s) of assessment at the next available opportunity, as specified in the approved Module Study Guides9.9.3. Following a resit attempt, either the individual element assessment mark or the overall module mark will be capped at the minimum pass mark, 50%. The highest final mark shall be awarded to the student. The highest module mark, and/or the highest element mark will stand. For example where a first sit of an element achieved a higher element mark than the resit element attempt, the first sit element mark will be reinstated.

### In the event of failure in all attempts, the highest module mark (best fail) shall stand and the Academic Board may determine alternative forms of assessment for resits. Where a student chooses not to undertake the resit of the module, the original module mark will be retained.

### A student due to resit must do so at the next available opportunity. Deferral of resits shall not be permitted. Where a student is registered for resits but does not attempt the required assessment, the registration shall count as one of the permitted attempts at the assessments.

### A student shall not be permitted to resit elements of assessment that have been passed. Where a module has been passed but some elements were failed, the student shall not be permitted to resit any element of assessment.

### Where a student submits evidence of mitigating circumstances that impacted adversely upon their performance and these are accepted, the Academic Board may grant an uncapped further attempt in the affected assessment. The marks achieved at this attempt will stand. An uncapped further attempt will count as the first attempt permitted for a module, due to mitigating circumstances.

### **Retakes**

### Retakes will normally involve re-enrolment, registration, repayment and attendance at classes, as well as completion of all elements of assessment, whether previously failed or not. A student may be eligible for a resit of a module that they retake, as specified in the approved Module Study Guides. Where a student retakes a module, this shall count towards the total value of academic credit for which students are registered during the year of the retake.

### Where a student has failed a resit attempt they are entitled to one retake of that module at the next available opportunity.

### Where a retake results in a pass, the module mark shall not be capped at the minimum pass mark and will reflect the standard achieved by the student.

### Where a student fails to retake at the next available opportunity, the missed retake shall count as one of the permitted attempts, regardless of whether or not the student has formally registered.

### Where a retake is granted, the student must normally attempt the same module that was originally attempted.

### A retake shall count as one of the two permitted attempts at a module, and therefore as the second and final attempt.

### The retake mark overrides any previous mark for the same module. No mark or other credit may be carried forward from a previous attempt.

### Students are not permitted to retake a module they have already passed. A student may be permitted to re-attempt one or more of the assessments for a module already passed where a successful claim for mitigation has been made. Where the request for mitigation is accepted, marks for the retake shall not be capped. Where there is more than one mark following a re-attempt at an assessment, the higher mark will be applied.

### Resit provision for further attempts offered as retakes granted under mitigation rules shall operate as though the modules were taken for the first time during the retake.

### **Compensation**

### The Compensation Regulation is applied to all Taught Postgraduate courses.

### Prior to ratification of marks at the Assessment Board, students who fail an assessment where module compensation is applicable shall be eligible for a resit attempt.

### Compensation shall be automatically applied **only after the resit attempt**. To facilitate completion for Graduation, Compensation may be applied without resit, however the resit attempt should first be offered to these students.

### Students on any taught Masters degree with failed module(s) will receive compensation for one Level 7 module of a maximum of 15 ECTS credits (excluding the Dissertation/Project/Capstone Project module) or MIUC students on taught two years Mastersdegree with failed module(s) will receive compensation for two Level 7 module of a maximum of 30 ECTS credits (excluding the Dissertation/Project/Capstone Project module) provided that:

### a) An average mark of 50% or more has been achieved across the 90 ECTS Level 7 credits for the MIUC-UWL degree (including the failed module) or for MIUC students an average mark of 50% or more has been achieved across the 60 ECTS Level 7 credits for the degree (including the failed module) or for MIUC students an average mark of 50% or more has been achieved across the 120 ECTS Level 7 credits for the two years master degree (including the failed module) ; and

### b) The final mark achieved for the Level 7 module to be compensated must be at least 40%.

### c) Where a compensated pass is awarded in a module the student will not be entitled to a resit or retake of that module.

### d) A student who receives a compensated pass in a module shall be awarded the credit for the module.

###

### **Failure**

### A student who does not achieve the requirements to pass a module shall fail that module. In most cases, this shall be because the module mark is lower than the pass mark.

### In some cases, it may be possible to achieve module marks higher than the pass mark of 50%, but fail the module, where not all of the requirements as set out in the approved module specifications are met. In these instances, the module mark shall be considered a fail.

### In all cases where the requirements for award are met, the award shall be made. There shall be no further opportunity for a student to resit or retake failed modules in an attempt to achieve a higher mark.

### **Awards**

### All students are registered on a course of study leading to a specified award.

### The title of the award that may be achieved by a student following an approved course of study will be determined at the point of course approval. The combination of modules which lead to a particular named award will also be determined at the point of course approval and recorded in the course specification.

### **Taught Postgraduate Award Requirements**

### To be eligible for a postgraduate taught award, a student must:

### a) meet the requirements for the validated course of study for which they are registered;

### b) meet the minimum credit requirements for the award;

### c) meet the requirements for the duration of registration.

### d) meet the minimum credit value at the level of the award;

### e)meet the requirements for a named exit award approved at validation.

### **Requirements for Award of Postgraduate Certificate for MIUC-UWL Validated Programme**

### To be eligible for the Postgraduate Certificate, a student must:

### a) take and pass modules to a total value of 30 ECTS credits at Level 7. A compensated pass for one module of up to 15 ECTS credits is permitted;

### b) achieve a minimum average module mark of 50% (unless specified otherwise by the relevant professional statutory and regulatory body).

### **Requirements for Award of Masters Degree**

### To be eligible for the Masters Degree, a student must:

### a) For MIUC-UWL students take and pass modules to a total value of 90 ECTS credits at Level 7. A compensated pass for one module of up to 15 ECTS credits (excluding the Dissertation or Project) is permitted; For MIUC students take and pass modules to a total value of 60 ECTS credits at Level 7 for one year master and 120 ECTS credits for two year master. For MIUC-UWL and MIUC one year master students a compensated pass for one module of up to 15 ECTS credits (excluding the Dissertation or Project) is permitted. For MIUC two year master programme students a compensated pass for two modules of up to 30 ECTS credits (excluding the Dissertation or Project) is permitted.

### b) Achieve a minimum average module mark of 50%.

### **Requirements for Merit and Distinction for MIUC-UWL validated programmes**

### A student who has fulfilled the requirements for the award of Masters Degree will be eligible for an award with merit or distinction if he/she has passed all modules and attained an overall average mark weighted by credit value of:

### Distinction 70% and above Merit 60% or over and under 70%.

### A ‘with Merit’ classification shall also be awarded if the average degree mark is 58% or above and a mark of 60 or above achieved in 50% or more of the credits obtained.

### A ‘with Distinction’ classification shall also be awarded if the average degree mark is 68% or above and a mark of 70 or above achieved in 50% or more of the credits obtained.

**Section 10 – Academic Offences**

### **Academic Offences**

### **Academic Offences Principles**

### The Academic Offences regulations will be used to deal with any cases of academic misconduct including examination offences, plagiarism and other means of cheating to obtain an advantage.

### Offences relating to an invigilated examination, coursework or other assessment include:

### a) Research misconduct;

### b) purchasing and selling of work;

### c) fabrication of experimental results, research or other investigative work;

### d) failure to gain prior ethical approval;

### e) plagiarism;

### f) unauthorised access to an examination paper before an examination;

### g) forgery;

### h) removal of a question paper, answer script or other examination stationery from an examination venue or any other University premises;

### i) causing a disturbance during an examination;

### j) refusal to cooperate with an invigilator or to follow an invigilator’s instructions;

### k) possession of unauthorised materials whilst under examination conditions, or leaving unauthorised material in an examination venue (including toilets);

### l) access to, possession of or use of unauthorised material on, a computer, mobile telephone, or other electronic device during an examination;

### m) communicating with another candidate while under examination conditions;

### n) copying, or attempting to copy, the work of another candidate;

### o) having writing on the body in an examination venue;

### p) impersonation of another student in an examination or assessment, or the employment of an impersonator in an examination or assessment;

### q) the fraudulent reporting of source material;

### r) the fraudulent reporting of experimental results, research or other investigative work;

### s) collusion in the preparation or production of submitted work, including supplying work to facilitate academic misconduct, unless such joint or group work is explicitly permitted;

### t) use, or attempted use, of ghost writing services for any part of an assessment;

### u) submission of work, or sections of work, for assessment in more than one module or assessment (including work previously submitted for assessment at another institution);

### v) all other forms of cheating.

### Marking of work will not be suspended during any investigation or allegation of academic misconduct, although the result will be withheld until the investigation is complete.

### Students may present any extenuating circumstances to the Academic Offence Panel, although they may do this once only. Where an allegation of an Academic Offence is proven, applications for mitigation cannot be considered.

### **Plagiarism**

### MIUC defines plagiarism as the practice of taking someone else’s work and/or ideas and passing it/them off as their own. It is also, where a student represents someone else’s work as their own irrespective of whether this was intended. Close paraphrasing, without adequate attribution; copying from the work of another person, including another student; using the ideas of another person without proper acknowledgement, all constitute examples of plagiarism. In addition, where a student re-uses work, whether in part or in whole that they have previously submitted for graded assessment – at MIUC or another institution -without properly referencing themselves (known as ‘self-plagiarism’) shall also constitute plagiarism.

### **Poor Academic Practice**

### This can only be applied to students in their first year of study at MIUC. Where the Course Leader, or authorised nominee, determines that the first offence is due to poor academic practice\*, the following course of action shall apply:

### \*poor academic practice -this is where a first academic offence has been committed due to lack of knowledge of academic writing. This is also to be used where plagiarism has been identified as resulting from a lack of understanding and poor academic practice.

### a) advise the student to obtain further support and guidance in referencing skills and;

### b) require the student to resubmit a corrected version of the element of assessment within five working days following the meeting with the maximum mark uncapped, (except where a cap has already been applied);

### c) ensure that a letter will be retained on the student’s file to this effect for the period of one year, or where it is longer, for the duration of that level of study.

### Poor Academic Practice cases will normally be concluded within **10 working days** of the receipt of the case and will be dealt with internally by the Course Leader, or authorised nominee within MIUC. Where a student commits a further offence this should be considered as a Minor Offence or a Major Offence depending on the level of severity.

### **Severity of Academic Offences**

### Academic Offences shall be dealt with according to the severity of the offence as follows:

### a) **Minor Offence** -includes first offence of plagiarism, or other minor offence resulting from negligence or intent, where a student attempted to acknowledge their sources and/or comply with the regulations for assessment, but a minor oversight or error has given cause for concern, and the student could benefit from further academic advice and referral for support.

### b) **Major Offence** -includes subsequent Minor Offences of plagiarism, all examination offences and all other serious offences, all of which require referral for further investigation by the Academic Offences Panel.

### In the case of a proven academic offence with a penalty requiring the resubmission of assessment, the resubmission must take place at the earliest opportunity during the current academic year and/or by the deadline set by MIUC.

### Where a student does not resubmit, a mark of 0 shall be given for the assessment.

### All Academic Offences and outcomes must be reported to Academic Registry, where all student records are maintained.

### **Minor Offence**

### A student suspected of committing a minor academic offence shall be invited to attend an interview with the Complaints and Appeals Officer, or authorised nominee, and shall be given copies of all evidence submitted in support of the allegation.

### Notice of **five working days** will be given to the student of the interview date, time and venue.

### Students should contact the Complaints and Appeals Officer, or authorised nominee, within **five working days** of notification of the allegation to make alternative arrangements if they are unable to make the original proposed date. If the student is unable to attend the next arranged date, the interview will proceed in their absence.

### Where a student fails to attend or make alternative arrangements, the investigation will proceed in the absence of the student, and consideration will be given to the documentation available.

### A student may be accompanied to the interview by a friend or Students’ Union representative. Under no circumstances may the student have legal representation or be represented by an external organisation.

### All interviews will be conducted according to the standard procedures issued by Academic Registry.

### As part of an interview, if the case warrants it, a student may be tested on subject knowledge by an oral examination. The oral examination shall be conducted by two members of academic staff with knowledge of the subject who will submit a report to the Complaints and Appeals Officer.

### Where a **Minor Offence is proven**, the Complaints and Appeals Officer or authorised nominee, will ensure that one of the following penalties will be applied:

### a) where the Complaints and Appeals Officer, or authorised nominee considers the offence to be Poor Academic Practice, those related penalties will apply.

### b) require the student to resubmit the relevant element(s) of assessment by a specified deadline with the maximum element mark capped at the pass mark; and impose a formal reprimand to be retained on the student’s file for the duration of the course of study. If the resubmitted work incurs further academic offence allegations, the case will be referred to a Major Academic Offences Panel.

### All Minor Offence cases referred to the Complaints and Appeals Officer, or authorised nominee, will normally be concluded within **20 working days** of the receipt of the case and will be dealt with internally by MIUC.

### Where the Complaints and Appeals Officer, or authorised nominee, determines following the interview, that there is evidence of an academic offence in an assessment that cannot be dealt with as a Minor Offence, the Complaints and Appeals Officer, or authorised nominee, will refer the case as a Major Offence **within five working days** to the University Registrar or authorised designate, who shall be responsible for investigating the case.

### **Major Offence**

### Invigilators or Module Leaders who suspect a student of committing an academic offence in an **examination** shall **immediately** inform the University Registrar, or their authorised nominee, who shall be responsible for investigating the allegation as a Major Offence.

### Where a member of staff suspects that a Major Offence has been committed as part of any **assessment**, the Module Leader or assessor shall **immediately** notify the Complaints and Appeals Officer or authorised nominee. This should be referred to the University Registrar or authorised designate where it is a Major Offence **within five working days**.

### A student accused of committing a Major Offence shall be invited to an Academic Offences Panel investigation by the University Registrar or authorised designate and shall be given copies of all evidence submitted in support of the allegation.

### An Academic Offences Panel shall be convened with responsibility for determining whether assessment related offences have been committed and will determine penalties, where applicable.

### Notice of a minimum of **five working days** will be given to the student of the Academic Offences Panel investigation date, time and venue.

### A student may be accompanied to the Academic Offences Panel investigation by a friend or Students’ Union representative. Under no circumstances may the student have legal representation or be represented by an external organisation.

### As part of an investigation, a student may be tested on subject knowledge by an oral examination. In such cases, the oral examination shall be conducted by a minimum of two academic staff, with knowledge of the subject, who shall submit a report to the Academic Offences Panel.

### Students should contact the University Registrar or authorised designate within **five working days** of notification of the allegation to make alternative arrangements if they are unable to make the original proposed date. If the student is unable to attend the next arranged date, the Academic Offences Panel will proceed in their absence.

### The Academic Offences Panel investigation should proceed where a student fails to attend or make alternative arrangements, and the Panel will consider the case in the absence of the student and make a decision on the documentation available.

### On completion of the Academic Offences Panel investigation, the University Registrar or authorised designate shall notify the student of the outcome of the case.

### The Academic Offences Panel shall comprise:

### a) a member of academic staff who is the Complaint and Appeals Officer serving as a Chair, appointed by the authority of the General Administrator or an authorised nominee . If for any reason the Chair is unable to act, the Chancellor or authorised nominee shall appoint an alternative Chair;

### b) a member of academic staff from the same department to that of the student;

### c) a member of academic staff from a different department to that of the student;

### d) in attendance, an authorised nominee from Academic Registry to act as Secretary to the Panel.

### The Academic Offences Panel shall have the authority to act in cases where a student admits or does not deny an offence.

### The Secretary is responsible for advising the Academic Offences Panel on the Academic Regulations. In the event of the Panel being divided over a decision to be taken, the Chair shall have a second and casting vote to determine the decision.

### If it is determined that a Major Offence has been committed, the student’s file/record will be made available to the Panel at this stage along with the student’s transcript. In arriving at a decision on penalties to be applied, the Panel will take account of any previous offences on record and shall impose the penalties on an individual basis; in cases involving a group of students, each individual will be considered separately.

### If during the course of the Academic Offences Panel investigation, evidence of further academic offences is revealed, the penalties will also apply to those modules affected.

### In deciding the appropriate formal penalty, the Academic Offences Panel will consider the following criteria, as supported by the necessary evidence:

### a) Premeditation in order to gain an unfair advantage.

### b) Intention in order to gain an unfair advantage.

### c) Acting for financial gain.

### d) Abusing a position of trust.

### e) Previously proven allegations.

### Where a **Major Offence is** proven, the Academic Offences Panel shall impose a formal reprimand to be retained on the student’s file for the duration of the course of study and one of the following penalties for each module for which an academic offence is found to have been committed:

### a) where the Panel considered the offence to be a Minor Offence or poor academic practice, those related penalties will apply.

### b) failure (a mark of 0) in the element(s) of assessment in which the offence occurred, with the maximum mark of the resubmission element capped at the pass mark;

### c) failure (a mark of 0) in the module of which the assessment forms a part, with the maximum module mark on any resit of the module capped at the pass mark; If the assessment is a resit attempt, the student will be required to retake the module, and the module will be capped at the pass mark;

### d) discontinuation of studies at MIUC.

### The outcome of all cases shall be confirmed to the student in writing.

### In cases where the Panel concludes the student has breached other regulations or policies, such as the Student Code of Conduct in addition to academic misconduct, it may be appropriate to also refer the matter under the Student Disciplinary Procedures. This will normally result in consideration of penalties only.

### All Major Offence cases will normally be concluded within **20 working days** of the receipt of the case referral from MIUC, and will be dealt with by the Complaint and Appeals Officer or authorised designate. The total time to conclude a Major Offence case is normally **25 working days**.

### **Appeals**

### A student may appeal in accordance with the Appeal Regulations.

**Section 11 – Exceptional Circumstances**

### **Provisions for Exceptional Circumstances**

### **Exceptional Circumstances Explanation**

### MIUC recognises that there are times when students will encounter difficulties during their course of study and provisions are made as outlined in this section. In all cases, students should seek academic advice as soon as possible. Penalties may be applied to students’ marks where students fail to meet agreed submission deadlines and they have not applied for an extension or mitigation as appropriate.

### An extension allows a student to submit coursework up to 10 calendar days late without penalty. Calendar days include all weekends and bank holidays where the University is open.

### Mitigation allows a student a further attempt without penalty if they fail an assessment or do not submit.

### Students who have their circumstances recognised via an Individual Support Plan may make use of the provisions detailed in this section if the ISP indicates that this is available.

### Exceptional circumstances are circumstances that are outside a student’s control which may negatively impact a student’s ability to undertake or complete any assessment, such that the assessment submitted would not be a true reflection of the student’s capabilities in normal circumstances.

### Examples of circumstances likely to be accepted: • Serious short-term illness or injury • Worsening of an ongoing illness or disability, including mental health conditions • Symptoms of an infectious disease that could be harmful if passed on to others • Death or significant illness of a close family member or friend • Unexpected caring responsibilities for a family member or dependant • Significant personal or family crises leading to acute stress • Witnessing or experiencing a traumatic incident • A crime which has had a substantial impact on the student • Accommodation crisis such as eviction or the home becoming uninhabitable • An emergency or crisis that prevents the student from attending an exam or accessing an online assessment • A technical problem that prevents the student from accessing online teaching or assessment • Safeguarding concerns

### Examples of circumstances likely to be excluded: • Holidays, house moves or other events that were planned or could reasonably have been expected • Minor illness such as common colds or hay fever, unless the symptoms are particularly severe • Assessments that are scheduled close together • Misreading the exam timetable • Poor time management • Minor transport disruption • Computer or printer failure where the student should have backed-up their work • Normal exam stress • Minor life events, unless the circumstances have had a disproportionate impact Note: The above examples are for illustration only and not intended to be definitive or exhaustive.

###  Students are responsible for presenting themselves for assessment and examinations at the appropriate times and venues, and submitting relevant information on exceptional circumstances where required

* 1. **Self-certification**

### **11.2.1** Students are able to apply for an extension or mitigation by self-certifying that they have exceptional circumstances which affect their ability to undertake the assessment. Self-certifying means that evidence does not have to be provided, although the University reserves the right to request evidence. All self-certified requests must detail the exceptional circumstances that have prevented the student from submitting by the original submission deadline.

### All self-certification requests must be made prior to the original submission deadline.

### A total of three assessments can be self-certified per Academic Year. Each self-certification request can be for either an Extension or Mitigation.

### The three self-certifications are not cumulative across the course of study. This means if you use three self-certification requests in one Academic Year you are still able to submit further self-certification requests in future academic years.

### A student may choose whether to apply for extension or mitigation on a self-certification basis or to submit a request and provide evidence, which would not then count as one of your three self-certifications.

###  Where a student has self-certified for an extension, there is no opportunity to apply for self-certified mitigation for the same attempt at the assessment. A request for mitigation may still be made, but evidence will need to be provided.

###  Evidence is not required to be submitted with a self-certified application for extension or mitigation, but it must be supplied if requested.

### **Evidence**

### Evidence is not required to be submitted at the same time as the extension or mitigation request, but it may need to be supplied before an extension or mitigation decision can be made, and must be supplied if requested. Evidence should normally be submitted within 10 calendar days of the request for extension or mitigation.

### Evidence should be relevant to the period of assessment, and would normally include information from an independent professional involved in the students’ circumstances.

### **Extensions**

### An extension allows a student to submit coursework up to 10 calendar days late without penalty. Calendar days include all weekends and bank holidays where the University is open.

### Students are responsible for submitting their assessments on time.

### An application for an extension to be considered by Academic Registry must be made prior to the original submission deadline and the work then submitted as soon as possible, up to 10 calendar days after the original deadline. Where this process is followed, and the extension is agreed, the work submitted late following an extension request to Academic Registry will not be penalised for late submission.

### Work submitted late without an extension will be penalised as follows:

###  a) Up to a maximum of 10 calendar days from the original deadline: work will be marked and the assessment mark will be capped at the pass mark for the element of assessment.

###  b) If the assessment is late by over 10 calendar days, the piece of work will be deemed a non-submission.

### **Mitigating Circumstances**

### Mitigation allows a student a further attempt without penalty if they fail an assessment or do not submit.

### Where mitigation is requested or self-certified, the student is responsible for seeking academic advice and for considering the impact of the mitigation on their overall assessment load and on their progression through the course of study.

### Where a student has self-certified for an extension, there is no opportunity to apply for self-certified mitigation for the same attempt at the assessment. A request for mitigation may still be made, but evidence will need to be provided.

###  Mitigation cannot be requested for an assessment that has been passed.

###  Where mitigation is self-certified or requested, but subsequently coursework is submitted or any other assessment completed, the mitigation will not stand where a pass mark is achieved in the submitted assessment.

### The Mitigation Process cannot consider applications for mitigation where an allegation of an Academic Offence is proven. Students may present any extenuating circumstances to the Academic Offence Panels although students may do this once only.

### **How to Submit Mitigation and Extensions**

### Students should submit requests for extension and mitigation in accordance with the published procedures as approved by Academic Board. Where appropriate, extension and mitigation requests will be considered by an Exceptional Circumstances Panel which will operate as outlined in below.

### Extension requests or self-certified mitigation requests are to be submitted prior to the original submission deadline. Mitigation may be requested after the original submission deadline; any application beyond this date must be evidenced.

### Consideration of Extension and Mitigation Requests

### All requests for mitigation will be reviewed by Academic Registry to ensure that they meet the criteria above. Where they meet the criteria, the mitigation will be granted. Evidence may be required before a decision can be made.

### Requests that are received late, or that when reviewed, do not clearly meet the criteria will be referred by Academic Registry to a Mitigation Panel. The Panel membership is:

### a) Chair, who should be a member of academic staff, i.e., Complaints and Appeals Officer appointed on the authority of the General Administrator or an authorised nominee ;

### b) a minimum of staff, either two academic staff or one academic and one member of Academic Office.

### A Course or Module Leader or Personal Tutor for a student whose mitigation is under consideration, shall not be a panel member for that consideration.

### The Panel will review the application and the evidence and come to a decision on whether the mitigation request is to be accepted or rejected.

### Where evidence is pending, the Mitigation Panel may defer a decision, and authorise the Chair to act on their behalf without calling a further Panel.

###

###  **Outcome of the Review or Exceptional Circumstances Panel Consideration**

### The successful outcome from a Review or an Exceptional Circumstances Panel is a further attempt / retake / the penalty for late submission lifted.

### If the application is rejected, the original assessment mark shall stand.

### If the application is accepted and the student granted a further attempt, Assessment Boards are informed by the Academic Registry to award an uncapped attempt in the affected module(s) or a further capped attempt, which shall be taken at the earliest available opportunity, in the case of coursework. The mark obtained at this attempt is recorded as final, unless the overall original module or element mark achieved was higher than the mark achieved post-mitigation. This means that the highest module or element mark (best mark) shall stand.

###  Where a student is unable to progress between Levels, or complete their award requirements, and there are accepted mitigating circumstances, the assessment(s), can be taken earlier than the next available attempt at the discretion of the Head/Dean of School/College. The mark obtained at this attempt is recorded as final.

###  Where a student cannot meet their award requirements due to non-completionof assessment and there are accepted mitigating circumstances, a recommendation can be made to the Assessment Board to award an uncapped resit of the assessment or retake in the affected module(s). The resit/retake shall be taken at the next available

### **Appeal against the Mitigation Outcome Decision**

### The student may appeal against the recommendation of the Mitigation Panel under the Appeal Regulations.

### **Deferral of Studies**

### Deferral of studies is where a student is unable to undertake or complete their semester or year of study, due to circumstances that are outside a student’s control. A period of deferral is an agreed temporary postponement of studies. For example, where a student is unable to attend their module or course and/or submit for assessment and will not be able to submit at the next assessment point, this will be considered as a potential course deferral. Module deferrals are not allowed.

### Circumstances that could be grounds for deferral shall be the same as those for mitigation and shall include the following:

### a) physical or mental ill-health;

### b) severe financial hardship;

### c) emotional/personal difficulties, e.g. bereavement;

### d) disability i.e. where student’s disability comes to light for the first time at the assessment;

### e) unavoidable absence from MIUC, e.g. requirements of employer;

### f) unavoidable absence from domicile, e.g. eviction;

### g) loss of immigration status;

### h) other serious circumstances which could not be foreseen by the student.

### Note: The above examples are for illustration only and not intended to be definitive or exhaustive.

### The circumstances causing the deferral request, are regarded as confidential

### The University may defer a student for the reasons listed in section 11.9.2 above.

### Where a student is unable to attend their module and/or submit for assessment but will be able to submit at the next assessment point, these are covered by Mitigating Circumstances.

### **How to request a Deferral of Studies**

### Where a student wishes to defer their course of study, the request must first be considered by their Personal Tutor or Course Leader, who will establish whether deferral is the most appropriate option.

### A student may defer their course of study at any time, with the following consequences:

### a) the result for any module – either pass or fail – for which all assessments have been completed, will be retained;

### b) the result for any module that has not been completed, for example, the student has submitted to Assessment 1 but not Assessment 2, will not be retained. The student shall re-register on that module on their return, however they will not be charged again for that module, and the assessments will not count as a retake, therefore will not be capped;

### c) students must refer to Academic Office for advice on the implications of deferral of their studies on their student loan and their finances;

### d) where applicable: the relevant funding body or professional, statutory, regulatory or governing body or other agencies, will be notified.

### A student may defer their studies but in most cases their visa will be curtailed and the student will have to return to their home country. A new visa application must be obtained in order for the student to return to study in Spain.

### A student may defer up to a maximum period totaling two calendar year, subject to the period of registration, Visa sponsorship and/or any Regulatory Body requirements.

### Students who need to defer their course of study for a period of more than two calendar year shall be withdrawn and, where applicable for students on MIUC-UWL validated programmes, receive an exit award. These students may apply for to re-join the course.

### Where the request is approved, the Course Leader must ensure that a return date is agreed and the Deferral Form is completed. The form is sent to the Registrar for processing. If the student is subsequently unable to return on the agreed date, the student must notify their Course Leader.

### **Explanation of Deferral and Withdrawal from Studies**

### When a student defers from their studies, it means they are taking time out from their course of study with the intention of re-joining their studies at the next available opportunity. While deferred, a student is still considered to be a student of MIUC for most purposes.

### When a student withdraws from their studies, it means that they are leaving their course of study completely, with no intention of returning at a later date. When a student has withdrawn, they will no longer be considered a student of MIUC, and if they consider at a later date to reapply to study at MIUC, they must apply via the recognition of prior learning route.

### **Withdrawal**

### A student may be withdrawn from the course of study before completion under the following processes:

### a) Student-initiated withdrawal;

### b) University-initiated withdrawal.

### **Student-Initiated Withdrawal**

### A student wishing to withdraw must complete and sign the withdrawal form or otherwise clearly communicate in writing either by letter or by email, their intention to withdraw from their course of study.

### **University-Initiated Withdrawal**

### The University may withdraw a student for a range of reasons. These include (but are not limited to):

### a) failure to progress (withdrawal on academic grounds);

### b) non-attendance, where this is a course requirement;

### c) failure to return from a period of deferral;

### d) expiration of the maximum registration period;

### e) following the outcome of student disciplinary procedures;

### f) failure to (re-) enrol;

### g) non-payment of tuition fees;

### h) breaching the conditions of their visa.

### Note: The above examples are for illustration only and not intended to be definitive or exhaustive.

### The decision to withdraw a student will be based on evidence in one or more of the above categories, and will be considered by the Head of School.

### Before a withdrawal is considered, the student concerned will be contacted and given advice by their Personal Tutor or Course Leader with a view to achieving the best possible outcome academically and personally for the student. The Course Leader must, give the student a formal, written warning of withdrawal and a specified period in which to respond before terminating their registration on the course of study.

### As an integral part of the process, the student must be referred to Academic Office for advice on any financial implications of withdrawing from their course of study.

### **Consequences of Withdrawal**

### A student is withdrawn from their course of study with the following consequences:

### a) termination of their registration and enrolment, and they shall no longer be a student of MIUC;

### b) MIUC will duly process records with external bodies, where applicable, the relevant funding body or professional, statutory, regulatory or governing body or other agencies, will be notified. For the purpose of the student record, the date of withdrawal will be the same as the date the decision to withdraw is made, unless evidence is readily available to confirm an earlier date;

### c) students must then refer to Student Services for advice on the implications of withdrawal from their studies on their student loan and their finances.

### A student may appeal against the decision to withdraw him/her from a course of study, in accordance with the Appeal Regulations.

### The decision to withdraw a student will be based on evidence in one or more of the above categories, and will be considered by the Head of School/College and will be notified to the Chair of the Assessment Board.

### Before a withdrawal is considered, the student concerned will be contacted and given advice by their Personal Tutor or Course Leader with a view to achieving the best possible outcome academically and personally for the student. The Chair of the Assessment Board (or their authorised nominee, normally the Course Leader) must, give the student a formal, written warning of withdrawal and a specified period in which to respond before terminating their registration on the course of study.

### As an integral part of the process, the student must be referred to Student Services for advice on any financial implications of withdrawing from their course of study

**Section 12 – Appeal Regulations**

### **Appeal Regulations**

### **Appeal Process Overview**

### The appeal regulations provide a single process for students who wish to appeal against outcomes arising from the following procedures:

### a) Assessment Board decisions;

### b) Academic Offences Regulations;

### c) Withdrawals;

### d) Exceptional Circumstances Regulations;

### e) Student Disciplinary Regulations.

### **Grounds for Appeal**

### A student may appeal on one or more of the following grounds:

### a) procedural error: where the process leading to the decision being appealed against was not conducted in accordance with the University’s procedure. Procedural error shall include alleged administrative or clerical error, and bias in the operation of the procedure;

### b) that exceptional circumstances, illness, or other relevant factors were not made known at the time for good reason\*, or were not properly taken into account.

c) that, where the appeal is against a Panel decision, the decision of the Panel was manifestly unreasonable.

### \*Good reason -requires a student to demonstrate that circumstances beyond their control prevented the disclosure of the relevant facts at the appropriate time.

### The following shall not be deemed legitimate grounds for appeal. Any appeal founded exclusively on one or more of these grounds shall be rejected automatically:

### a) appeals based upon the informal assessment of a student’s work by academic staff;

### b) retrospective reporting of mitigating circumstances that might reasonably have been made known at the proper time;

### c) marginal failure to attain a higher classification of award;

### d) in the case of student disciplinary matters, the provision of an apology by a student for their actions;

### e) lack of awareness by a student of the relevant procedure or regulations;

### f) vexatious or frivolous appeals;

### g) where no fresh evidence is submitted or there has not been a material change of circumstances since the last decision on the matter;

### h) appeals against academic judgement, for example the mark awarded by examiners. (UWL students only).

### In all cases, the original outcome of the appropriate Panel or Board, which is the subject of the appeal, is final and not varied until and unless a successful appeal results in an alternative decision. For example, where a student is withdrawn due to academic failure, and the appeal is upheld, the student shall not be reinstated until the appeal process is complete.

### **Submitting an Appeal**

### A student must submit an appeal to the Complaints and Appeals Officer in writing by completing the Appeal Form available on the MIUC’s website. The completed appeal form must detail the decision being appealed against, present the grounds on which the appeal is being made, and provide appropriate supporting evidence.

### An appeal must be received **within 10 working days** of the formal notification of the decision being appealed against. This shall normally be the date given on the decision letter, or the official publication of results date. The Complaint and Appeals Officer may exercise discretion to consider a late appeal where a student demonstrates good reason for the delay.

### Appropriate supporting evidence which supports the points made in the appeal must be submitted with the appeal or **within five working days** of submission.

### The costs of an appeal incurred by the student will not be reclaimable, except in exceptional circumstances.

### **Actions on Receipt of an Appeal**

### On receipt of an appeal, the University Secretary, or authorised nominee, shall first determine if the appeal was submitted in time.

### Where an appeal is determined to be out of time, the substance of an appeal shall not be considered; it will not be heard and a letter shall be issued to the student reflecting this decision.

### Where an appeal is deemed to be submitted in time, the Complaints and Appeals Officer, or authorised nominee, will be responsible for investigating the appeal. This will normally consist of reviewing the decision made under the previous procedure, reviewing all relevant documentation and, where appropriate, discussions with those responsible for the original decision. The outcome of this investigation will be referred to the Appeal Panel.

### The Appeal Panel shall determine whether it should be upheld or rejected based on the grounds for appeal.

### Where a meeting with an Appeal Panel is required, the Complaint and Appeals Officer, or authorised nominee, shall notify the student in writing **at least five working days** before the Appeal Panel meeting is due to take place and provide the student with:

### a) details of the date, time and place of the Panel meeting and those who will be present;

### b) a statement of the grounds upon which their appeal is to be considered;

### c) a statement to the effect that new witnesses may be called in support of the grounds of appeal and MIUC has the right to call new witnesses on its behalf;

### d) copies of any documents to be considered relating to the appeal;

### e) a statement that the student may be accompanied to the appeal meeting by a friend or Students’ Union representative. Under no circumstances may the student have legal representation or be represented by an external organisation.

### **Appeal Panel Membership**

### The membership of the Appeal Panel is:

### a) a Chair, appointed by the General Administrator or an authorised nominee for the relevant category of appeal. If for any reason the Chair is unable to act, the General Administrator or an authorized nominee shall appoint an alternative Chair;

### b) a member of academic staff, normally from the same Department;

### c) a member of academic staff, drawn from the membership of the Academic Board;

### d) Secretary to the Panel, who shall be present throughout the meeting of the Panel to record its deliberations. The Secretary shall not be involved in the decision making process.

### Chairs of Appeal Panels shall be appointed by the General Adminstrator, or authorised nominee.

### Members of the Appeal Panel shall not have been involved in making the original decision being appealed against.

### The Appeal Panel membership shall be individually constituted for each case or group of cases.

### **Appeal Panel Procedure**

### All papers and proceedings shall be confidential.

### If the student does not attend the appeal meeting, or contact the Secretary of the Appeals Panel to make alternate arrangements **within five working days** of notification of the Panel Meeting, the Appeal Panel shall make a decision in the absence of the student based on the documentation available.

### The Appeal Panel meeting shall normally adopt the following format:

### a) the members of the Panel shall be introduced to those present;

### b) the student shall be asked to address the Appeal Panel regarding the appeal. The student’s friend or representative may make this response if the student requests it;

### c) the Appeal Panel members shall ask the student questions relevant to the case;

### d) MIUC representative shall put forward the MIUC’s case;

### e) the Appeal Panel shall ask MIUC representative questions relevant to the case;

### f) witnesses may be called to the Appeal Panel where permitted by the Chair;

### g) the student, and their friend, and the MIUC representative may remain present throughout except for the Panel’s deliberations;

### h) the Appeal Panel shall consider its decision.

### The Appeal Panel may determine:

### a) to reject the appeal and uphold the original decision;

### b) to refer the original decision back to the relevant body for reconsideration;

### c) to uphold the appeal and refer to the Registrar to apply an appropriate remedy.

### **Notification of Outcome of an Appeal**

### The Chair of the Appeal Panel shall inform the student in writing of their decision and the reasons for it within **5 working days** of the meeting..

### MIUC will expedite the appeals procedures where circumstances warrant swift action. These may include, but are not limited to:

### a) cases where the impact of the issues raised has detrimental consequences for the student’s mental health or where the student displays significant stress;

### b) cases where external time limits apply e.g. in meeting regulatory requirements for the completion of professional courses, including cases where students have been withdrawn from their course of study.

### A student shall normally be notified of the outcome of their appeal within 25 working days from the full appeal documentation being received by the University Secretary. In more complex cases and where the Appeal Panel is required, the student will be notified of the outcome within 50 working days from the full appeal documentation being received by the University. In instances where it has not been possible to resolve the appeal within required timelines for a legitimate reason, the student will be informed of the reasons for the delay and the expected date of the appeal outcome..

### **Actions where an Appeal is Upheld**

### Where an appeal is upheld, Registrar will take appropriate remedial action, relevant to the decision of the Appeal Panel.

### **Actions where an Appeal is Not Upheld**

### Where an appeal is not upheld by the Chair or by the Appeal Panel, the student has the right to request an Appeal Review, or authorised nominee, provided the Appeal Review request was made within 15 days of the original Appeal Panel decision.

### The General Administrator or an authorised nominee, shall review the original appeal and all the documentation relating to the case within 20 days of receipt of the review request and supporting evidence. In instances where it has not been possible to respond within required timelines for a legitimate reason, the student will be informed of the reasons for the delay and the expected date of the appeal review outcome, however, the whole appeal process should be completed within 90 calendar days of the start of the formal appeal stage..

### Where the General Administrator or an authorised nominee dismisses the Appeal Panel’s original decision, he/she may:

### a) refer the original decision back to the relevant Panel or Board for reconsideration;

### b) refer to apply an appropriate remedy.

### The General Administrator or nominee shall either uphold or dismiss the Appeal Panel’s decision and the Complaints and Appeals Officer will confirm the decision of the General Administrator by the Close of Procedure (COP) letter to the student.