

Academic Board Appeals Committee's Procedures

Section 1 - Preamble

(1) This Guideline replaces Appendix 4.30(a) of the Academic Policy (December 2010).

Section 2 - Definitions

(2) For the purpose of this Procedure, refer to the Academic Board's Definitions Policy.

Section 3 - Procedures

(3) Upon receipt of an appeal, the Secretary, Academic Board Appeals Committee will ensure that the appeal is in the appropriate format and has been submitted in accordance with the relevant Rule of the University's Rules Relating to Awards and Rules Governing Candidature for postgraduate awards. The Secretary, ABAC must also verify that the procedure and timeframes in accordance with the Rules have been followed.

(4) If the appeal is received out of time the Chair, Academic Board Appeals Committee (under Rules 2, Section 10, clauses (81) to (82) and Rule 3, Section 15, clause (77)b may grant an extension where the student is able to satisfy the Chair ABAC that the appeal is lodged late through no fault of the student.

(5) The Secretary, ABAC will write to the student confirming receipt of the appeal and clarifying or stating grounds of appeal. If the student has not first made an official query to the Head of School /Head, Centre /Head of College or other delegated officer as appropriate the student will be requested to do so before the Appeal can be considered.

(6) An appeal will not be regarded as having been 'received' until:

- a. the grounds of appeal are clarified with the student, and
- b. there is written evidence that the student has already queried the matter with the appropriate person.

(7) The Secretary, ABAC will seek to obtain relevant information, including:

- a. establishing the date of posting on the web of the grade or formal date of sending of notification of exclusion to the student;
- b. establishing the date of formal notification of the Head of School /Head of College /Head, Centre's determination;
- c. the student's academic transcript;
- d. the unit statement of the unit or Study Guide or equivalent document under which assessment or the assessment process is being appealed;
- e. the Specific Award Rules for the Course in which the student was enrolled at the time;
- f. details regarding the student's performance in the unit including, where appropriate, cut-off marks, class averages, minima and maxima within the cohort, and any other information regarding the computation of final grade, if relevant;

- g. a copy of any special consideration documentation, if relevant; and
- h. any other documentation considered relevant to the appeal.

(8) The Secretary, ABAC will forward a copy of the appeal to the relevant Head of School /Head of College /Head, Centre requesting them to provide written reasons for their decision, which has led to the appeal, and inviting written comment on the appeal. The Head of School /Head of College /Head, Centre must respond within five (5) working days of sending of the request.

(9) The Secretary, ABAC will forward the appeal plus all relevant documentation to the Chair, Academic Board Appeals Committee within ten (10) working days of receipt of the appeal.

(10) The Chair, Academic Board Appeals Committee will assess the content of the appeal and determine whether it is appropriate for the appeal to proceed to a hearing by the Academic Board Appeals Committee under the relevant Rule. The Secretary, ABAC, on behalf of the Chair, Academic Board Appeals Committee, will contact the student in writing within ten working days of receipt of the appeal by the Chair ABAC, informing them:

- a. the appeal is rejected on the basis that the grounds for appeal are frivolous or vexatious, no ground of appeal is revealed on the face of the correspondence received, or the student has not followed the processes as described in the Rules and Procedures (which will be reported to the next meeting of the Academic Board Appeals Committee); or
- b. the Chair ABAC on behalf of the Academic Board Appeals Committee is proceeding with the appeal, and may be seeking further information.

(11) Should the Chair ABAC determine, under clause (10) a or b that the content of an appeal is insufficient or inappropriate for it to proceed to a hearing by the Academic Board Appeals Committee, the Chair ABAC may contact the student in writing with a request for further information. This information should be received within ten (10) working days of sending of the request. If there is still inadequate information the Chair ABAC may decide to reject the Appeal.

(12) The student may request a review of the determination by the Chair, Academic Board Appeals Committee not to allow the appeal to proceed. This must be done within ten (10) working days of sending of notification to the student of the Chair, Academic Board Appeals Committee's determination, and be made to the Chair, Academic Board, or if the Chair, Academic Board is also the Chair, Academic Board Appeals Committee, to the Vice Chancellor.

(13) The Chair ABAC has the discretion to refer any appeal received to the relevant Head of School /Head of College /Head, Centre with an invitation to reconsider the matter raised and to conduct discussions with relevant staff to ensure that all options for resolution have been considered prior to proceeding to an appeal hearing. For Research Students, the appeal will be referred to the School/College/Centre Postgraduate Director and/or Pro Vice Chancellor (Research).

(14) If it is determined by the Chair ABAC that a matter is to be referred to the Academic Board Appeals Committee for a hearing, the student must be notified of this decision within twenty (20) working days of receipt of the Appeal by the Secretary, ABAC. The Appeal must be heard within thirty (30) working days of receipt of the Appeal by the Secretary, ABAC.

(15) A copy of the appeal, the Head of School /Head of College /Head, Centre's comments and relevant documentation will be marked "Confidential" and distributed to committee members as business papers prior to the hearing. All documentation will be returned to the Secretary, ABAC at the conclusion of the hearing.

(16) The student will be invited to present his or her case at the hearing. Teleconference facilities will be made available to the student if attendance in person is not reasonably convenient.

(17) At the appeal hearing, the student may be accompanied by a friend or elected student representative for support. They may be accompanied by both at the discretion of the Chair ABAC.

(18) The student is permitted to nominate a representative to speak on his or her behalf at the hearing. No legal representation will be permitted at the hearing.

(19) Should the student be unable to attend the appeal hearing either in person or by teleconference, he or she may nominate a person to attend in their place, as agreed by the Chair ABAC.

(20) An Academic Board Appeals Committee, once established and the student notified, may continue to hear the appeal in the absence of the student.

(21) When the Committee is being formed any conflict of interest of the Chair ABAC or members must be declared to the Secretary, ABAC. Where appropriate they may be required to stand down.

(22) The relevant Head of School /Head of College /Head, Centre or Unit Assessor will be required to attend the Academic Board Appeals Committee hearing to provide information and/or answer questions on the matter. The Head of School /Head of College /Head, Centre or Unit Assessor may be accompanied by another appropriate person as they deem necessary.

(23) The Academic Board Appeals Committee may establish further grounds for Appeal that have not been covered by the student. These will be considered when making a determination.

(24) In making its determination, the Academic Board Appeals Committee may do any of the following:

- a. Confirm the original decision of the Head of School /Head of College;
- b. quash the original decision of the Head of School /Head of College /Head, Centre and make such orders as it deems necessary to resolve the appeal, including a change of grade; or
- c. make a recommendation to the School/College/Centre to review its processes.

(25) The student shall be advised in writing of the Academic Board Appeals Committee's determination within five (5) working days of the hearing.

(26) Copies of the determination shall be provided to the Head of School /Head of College /Head, Centre, Deputy Vice Chancellor, Director, Student Services and any other member of staff immediately involved in the appeal.

(27) The student may request that a copy of the determination be provided to a student organisation recognised by the University.

(28) The decision of the Academic Board Appeals Committee will be by majority, with the Chair ABAC having a casting vote.

(29) The Academic Board Appeals Committee is the final University decision-making body with regard to appeals under the University's Rules Relating to Awards.

(30) Taking into account all of the above an appeal normally will be heard by the Academic Board Appeals Committee or resolved in some other way no later than forty-five (45) working days from receipt of the Appeal by the Secretary, ABAC.

Status and Details

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