

Student Appeals Policy (Academic)		
Approving Committee: ACADEMIC STANDARDS AND POLICY COMMITTEE	Effective Date: 01/01/2020	Developer: ACADEMIC STANDARDS AND QUALITY OFFICE

1.0 INTRODUCTION

Sunway University is committed to giving its students the best experience possible, and to ensuring fair and transparent decisions are made about a student's academic progress. However, there may be occasions when students may feel that they have grounds to appeal against an academic decision or request for a formal review of a decision made by a Sunway University academic body or officer.

The Student Appeals Policy provides a framework for the University to respond to appeals in a way that contributes to the University's supportive and fair learning environment, and is consistent with the principles of fairness and equal opportunity.

The University expects that students appreciate that appeals will not always result in their preferred conclusion. Regardless of the decision, students will be informed of the outcome of a formal appeal and the reasons for it.

2.0 PURPOSE

To provide the University, its students and staff with a clear set of principles in relation to student appeals in order to resolve difficulties between students and the University as fairly and effectively as possible.

3.0 SCOPE

- 3.1 The University defines an appeal as a request to review a decision of an academic body of the University charged with making decisions on student progression, assessments and awards.
- 3.2 This Student Appeals Policy applies to all students currently registered at Sunway University. Appeals received from a third party (including a parent) will not be considered. The matters related to student complaint and grievances are excluded from this policy as they are covered under other relevant policies and processes.

4.0 POLICY STATEMENT

- 4.1 All actions under this policy are to be based on values and principles of mutual respect and procedural fairness for and by all students, staff and others who may be involved.
- 4.2 At all stages of the Student Appeals Procedure, the University is committed to:
 - i. an accessible, impartial and fair process;
 - ii. transparency and consistency; and
 - iii. privacy and confidentiality.

- 4.3 Appeals must be made within **fifteen (15)** working days after receipt of notification of the decision made by the University. Notification may be by email to the student's University email account or other official electronic communication channel of the University, or in writing to the home or normal residential address of the student, as last notified to the University by the student.
- 4.4 Appeals received outside the stated timescale, shall not normally be considered. Ignorance of the right of appeal or the processes of appeal shall not be taken as mitigation in considering claims made after the 15 working day deadline, unless there is clear evidence that the student could not reasonably have been aware of the policy.
- 4.5 The University will consider appeals in a timely manner, while keeping the parties fully informed of the progress of the matter. The committee handling the appeal will be committed to the resolution of appeals at the earliest possible stage.
- 4.6 The process for making an appeal is set out in the Student Appeals Procedure, which is available on the University webpages (see [ASQ Webpages](#)).
- 4.7 All students and staff will familiarise themselves with and adhere to all relevant University regulations and are expected to fully cooperate with the Student Appeals Procedure.
- 4.8 Any student who uses the Student Appeals Procedure to make a frivolous claim may be subject to disciplinary action.
- 4.9 The University reserves the right to decline to pursue an appeal, including but not limited to circumstances where another process is more appropriate, or where the student does not have sufficient grounds to lodge an appeal.
- 4.10 Consideration of an appeal will be restricted to circumstances where:
- i. there has been or could have been incorrect application of policies, procedures or administrative processes that may have been disadvantaged the student;
 - ii. there is evidence of mitigating circumstances which may have affected the student's performances of which the University was not aware when the decision was taken, and which could not reasonably have been presented to the University earlier;
 - iii. there is evidence that the decision made did not take any mitigating circumstances into sufficient account, or that the decision made is manifestly unreasonable;
 - iv. there is evidence of unfair or discriminatory practice;
 - v. additional relevant evidence has come to light since the decision was taken which could not have been made available earlier.

- 4.11 The following matters **do not constitute** grounds for an appeal:
- i. Disagreement with a mark or grade or a degree classification awarded;
 - ii. Challenges to academic judgements of examiners on an assessment outcome or level of award granted;
 - iii. Claims that academic performance, including attendance, was adversely affected by mitigating circumstances, such as ill-health, but for which no contemporary medical or other appropriate evidence is provided;
 - iv. Claims that academic performance, including attendance, was adversely affected by mitigating circumstances, which were not, but which could, reasonably, have been disclosed prior to the decision being made.¹
 - v. Complaints against delivery of teaching and methods of assessment.
- 4.12 It is the responsibility of the student to state their grounds for appeal fully and to provide copies of all relevant evidence from the first stage of any application for appeal.
- 4.13 Appeals must be made and submitted online using the appropriate form, and must include the supporting documentary evidence.
- 4.14 At any time during the process a student may withdraw an application, by notice in writing to the Registry, and upon such withdrawal, consideration of the application will normally be discontinued.
- 4.15 **Student Status**
- 4.15.1 Unless instructed otherwise by the Vice-Chancellor, a student who has submitted an appeal under this policy may continue in their program of study until the decision on the review or appeal is notified to the student.
- 4.15.2 If a student exercises the option to continue in their program of study while any appeal process is under consideration, and the final stage of the appeal process is not completed before the census date for the relevant study period, then the student may complete enrolment in the relevant study period and be awarded the result(s), whether pass or fail grades, achieved in those units in that study period, irrespective of the outcome of the appeal process.
- 4.15.3 In the case of an appeal against termination of enrolment for unsatisfactory academic progress or academic misconduct, if the appeal is dismissed, the termination of enrolment will take effect from the end of the study period in which the appeal process is finalised.

¹ Mitigating circumstance are covered under the University Mitigating Circumstances Policy, which can be found on the ASQ pages of the Vine and on eLearn.

4.15.4 the case of an appeal against suspension of enrolment for academic malpractice, if the appeal is dismissed, the suspension will take effect immediately.

4.15.5 the case of an appeal involving an international student, the University will notify the relevant Malaysian Government department of any notifiable change to that student's enrolment.

5.0 REFERENCE DOCUMENTS

1. Student Appeals Procedure (Academic)
2. Assessment Policy
3. Mitigating Circumstances Policy
4. Academic Malpractice Policy
5. Student Attendance Policy
6. Student Attendance Monitoring Policy

6.0 DOCUMENT HISTORY

Document History		
Version	Approval Date	Document Reference/Section of Changes
1	20/01/2017	Not Applicable
2	23/01/2018	Item 4.3 - Included clause on time limit to lodge appeal Item 4.8 - Removed list of decisions that appeals can be lodged against. Item 4.9 and 4.10 - Changed of order of the items. Matters that do not constitute grounds for appeal comes before explanation on grounds for appeal. - Included unfair and discriminatory practice as grounds for appeal
3	31/10/2019	Item 3.0 - Revised statements for Scope Item 4.3 - Changed the timescale for submitting the appeal Item 4.4 - Revised the policy on appeals received outside the timeline. Item 4.10 - Revised phrases for circumstances that constitute appeals. Item 4.11 - Included matters that do not constitute grounds for appeals Item 4.13 - Included a statement that submission of appeals must be online.